
MINUTES OF THE PROCEEDINGS

OF

THE COUNCIL

OF THE
CITY OF PITTSBURGH
FOR THE YEAR

1990

VOLUME 124-A

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INDEX 1990

ADDRESSES AND REMARKS	1
Cohen, Dan	4
Coyne, Micheal	15
Darkins, Duane	21
Ferlo, Jim	28
Madoff, Michelle	58
Milliones, Jake	83
Regan, Bernard	90
Ricciardi, Gene	103
Wagner, Jack	114
COMMUNICATIONS	137
Miscellaneous	137
TRAVEL REQUEST	146
City Council's Office - Michael Coyne	146
City Council's Office - Jim Ferlo	147
City Council's Office - Duane Darkins	147
MOTIONS	211
Adjourn	47
Administration	148
Amendments	149
Appear before Council	150
Approval of Appointments	151
Cablecast Hearings	152
Effective Date of Legislation	152
Held Legislation	154
Letters Sent	155
Meetings Changed	156
Miscellaneous	156
Nominations	158
Override Veto	159
Post-Agenda Meetings	159
Proclamations	159
Public Hearings	160
Recess	160
Recommit	161
Tabled	162
Untabled	162
ORDINANCES	163

ORDINANCES (continued)

PITTSBURGH CODE	163
Title One - Administrative	163
Title Two - Fiscal	163
Title Three - Water	165
Title Four - Public Places and Property	165
Title Five - Traffic	166
Title Six - Conduct	166
Title Seven - Business Licensing	167
Title Eight - Fire Prevention	167
Title Nine - Zoning	167
Title Ten - Building	170
RESOLUTIONS	170
AGREEMENTS	170
Cooperation	170
Lease	172
License	173
Supplemental	173
APPLICATION	192
APPOINTMENTS	194
BUDGET AMENDMENTS	197
Cablecast	198
Certificate of Election	198
Changing Name	198
Civic Arena	199
Community Development Statement	199
CONDITIONAL USE APPLICATIONS	200
CONTRACTS	200
Depositories	207
Enterprise Zone Application	207
Fees	207
Funds	208
GRANT APPLICATIONS	208
Grant Funds	212
Heritage Park	212
Hiring	212
Historic District	213
Imprest Fund	213

LEASE	213
LEASE - LICENSE	214
Legislation	215
Lobbying	215
Modification	215
PETITIONS - Public Hearings	216
PROPERTY	218
Act No. 171 of 1984	218
Acquisition	218
Acceptance	219
Amendments	219
Condemning	220
Conveyance	219
Dedication	221
Sale	221
Transfer	221
Urban Redevelopment Authority - Property Sales	221
READ AND ADOPTED RESOLUTIONS	224
All Members	224
Dan Cohen	224
Michael Coyne	226
Duane Darkins.	227
Jim Ferlo	232
Michelle Madoff	234
Jake Millions	236
Bernard Regan	237
Eugene Ricciardi	239
Jack Wagner	241
Recycling	244
Residential Parking	244
Sewage Facilities	244
Supplementing	245
Tobacco Company	245
Traffic Court	245
TRANSFER OF FUNDS	253
TRUST FUNDS	253
Tuition Program	254
Vacant Review Committee	254
WARRANTS	254
Waterline	259
Zoning	259

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Abramowicz, Jason	Acceptance - Bill No. 1355 - recognizing the National Athletes	1224
Ackerman, Ms.	Acceptance - Bill No. 578 - Commending Friends Indeed on their 15th Anniversary and their contributions to Pittsburgh	453
Adams, Mr.	Discussion - Bill No. 1554 - Saluting "Grand Marshall" in the Afro-American Heritage Parade Association, Inc.	1363
Altomari, Mr.	Acceptance - Bill No. 221 - Declaring February 14th and 15th as NATIONAL COLLEGE FAIR DAYS	150
Aluise, Mr.	Acceptance - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1605
Artz, Ms.	Acceptance - Bill No. 684 - Proclaiming the month of May 1990 as "Mediation Month" in the City	588
Austin, Ms.	Acceptance - Bill No. 1383 - Offering its ovation to the Pittsburgh Powe family	1246
Ballenger, Ms.	Discussion - Introducing Amy Ballinger, visiting former Councilwoman from Florida	684
Balzer, Ms.	Discussion - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1542
Barasch, Mr.	Acceptance - Bill No. 551 - Supporting the creation of a major world class cycling event	408
Barner, Mr.	Acceptance - Bill No. 506 - Designating April 22, 1990 as Earth Day 1990	372
Barth, Mr.	Acceptance - Bill No. 1661 - Congratulating the efforts of all the contributors in the establishment of the Open Door	1452
Bartoul, Father	Acceptance - Bill No. 1455 - Welcoming all those attending the National Apostolate of maronites Regional Convention	1301
Bedillion, Mr.	Acceptance - Bill No. 969 - Declaring the week of July 1 through July 7, 1990 as "Crime Prevention Week" in the City	824

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Berger, Mr.	Acceptance - Bill No. 384 - Commending MAGLEV Working Group for their accomplishments for the project between Downtown Pittsburgh and Pittsburgh International Airport	260
Bigley, Mr.	Acceptance - Bill No. 1488 - Proclaiming Saturday, October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1338
Bigley, Mr.	Discussion - Bill No. 1488 - Proclaiming Saturday, October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1338
Birney, Ms.	Acceptance - Bill No. 853 - Commending the Mayor's Commission on Families for organizing a task force to inform young people that the choices they make will follow them for years to come	772
Blair, Thomas	Acceptance - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1603
Blatz, Mr.	Acceptance - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1226
Blissmann, Mr.	Acceptance - Bill No. 721 - Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to commitment	623
Bobonis, Mr.	Acceptance - Bill No. 381 - Recognizing Regis Darrow Bobonis, Sr. for his contribution to the City and African American community	256
Botsford, Dawn	Acceptance - Bill No. 229 - Furnishing of motorized fire equipment Dept. of General Services, \$660,000.00 Amending No. 500/89 (REMARKS) Wednesday March 7, 1990	361
Boyle, Mr.	Acceptance - Bill No. 217 - Recognizing the contributions of the Kingsley Association towards Black History Month	146
Brady, Mr.	Acceptance - Bill No. 478 - Welcoming the All Ireland Champion Dancers and Musicians to Pittsburgh	342
Brennan, Mr.	Acceptance - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	592
Brennen, Mrs.	Acceptance - Bill No. 624 - Supporting the creation of the model Multiracial, Multi-ethnic and Multicultural middle school for the Pittsburgh School District	626

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Brown, Director	Acceptance - Bill No. 617 - Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	489
Brown, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	459
Brown, Ms.	Acceptance - Bill No. 689 - Recognizing Gemma Ommogrosso and David Christian for "Century of Living", Citiparks Century Club	595
Brown, Ms.	Acceptance - Bill No. 1605 - Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1400
Bruce, Mr.	Acceptance - Bill No. 856 - Saluting Paint Your Heart out Pittsburgh	775
Brunett, Ms.	Acceptance - Bill No. 686 - Recognizing the important contributions which Pat and Carrie Brunett have made to the lives of school children in Bloomfield and Garfield communities	590
Bryant, Ms.	Acceptance - Bill No. 1332 - Proclaiming October 9, 1990 as Linda R. Bryant Day in the City	1333
Butcher, Ms.	Acceptance - Bill No. 856 - Saluting Paint Your Heart out Pittsburgh	775
Byrne, Mr.	Acceptance - Bill No. 1728 - Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1537
Byrne, Ms.	Acceptance - Bill No. 1145 - Recognizing the Dublin, Ireland Women's Division I Basketball Club	1003
Byrnes, Sergeant	Acceptance - Bill No. 1264 - Proclaiming Tuesday, August 7, 1990 as "National Night Out" in the City	1086
Cannon, Director	Acceptance - Bill No. 635 - Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	534
Cannon, Director	Acceptance - Bill No. 1384 - Proclaiming the week of September 16-22, 1990 as Emergency Medical Services Week in the City	1247
Cannon, Director	Acceptance - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1602
Capobianco, Mr.	Discussion - Bill No. 1352 - Proclaiming September 13, 1990 as Luciano Pavarotti Day in the City	1220

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Carter, Mr.	Acceptance - Bill No. 1838 - Recognizing the Champions Association and its capable Executive Director, William R. Neal, Jr.	1600
Caruthers, Ms.	Acceptance - Bill NO. 1275 - Proclaiming September 2nd and 3rd as "Jerry Lewis Telethon Weekend" in the City	1148
Cash, Mr.	Acceptance - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1515
Catanese, Mr.	Acceptance - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1605
Cercone, Mr.	Acceptance - Bill No. 1216 - Commending the past and present Bloomfield Morra Champions	1034
Chase, Dana	Discussion - Bill No. 1689 - Congratulating the winners in the "Don't Get Hooked on Drugs" contest	1517
Cheswick, Mr.	Acceptance - Bill No. 688 - Congratulating Elder-Ado, Inc. for its commendable efforts on behalf of our older citizens	594
Childs, Ms.	Acceptance - Bill No. 634 - Welcoming the National Convention of Gospel Choirs and Chorus, Inc. to the City	532
Christner, Mr.	Acceptance - Bill No. 1047 - Acknowledging the anniversary of the operations of the Three Rivers Center for Independent Living	884
Clay, Donald	Offering the Benediction	21
Cohen, Dan	Taking the Oath of Office	5
Cohen, Dan	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	9
Cohen, Dan	Discussion - Stating why he will support the appointment of Mary Conturo as City Solicitor Department of Law	40
Cohen, Dan	Discussion - Stating why he is not voting for Bill No. 18	68
Cohen Dan	Discussion - Stating why he is voting in favor of Bill No. 41 and Bill No. 42	90
Cohen, Dan	Discussion - Stating that he wants to work in a cooperative manner with the Housing Authority	94
Cohen, Dan	Discussion - Stating why he is voting on the motion to send a message to Housing Authority that severance pay for Mr. Pietragallo be equal to one month's severance pay	99

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Calling the members of the Bowl for Kids Day of Big Brothers/Big Sisters	103
Cohen, Dan	Discussion - Buill No. 185 - Declaring March 4, 1990, Bowl for Kids Day in the City - Congratulating all members of Big Brothers/Big Sisters of Pittsburgh, Inc.	104
Cohen, Dan	Discussion - Commending Jake Milliones for Bill No. 350 - Giving honor to Nelson Mandela for his life and leadership	226
Cohen, Dan	Discussion - Stating that the motion is to call for the Law Department to do an interpretation of the Muncipal Authority's Act	243
Cohen, Dan	Discussion - Stating that his office has contacted Community Leaders to work on the 1990 census	245
Cohen, Dan	Discussion - Commending Jack Wagner for his resolution for the MAGLEV Task Force	261
Cohen, Dan	Discussion - No. 317 - Warrant in favor of Loius Viglione Contracting, Inc.	267
Cohen, Dan	Discussion - Stating there is a need to secure the premises	287
Cohen, Dan	Discussion - Bill No. 253 - Lease with Neville Ice Areana, Inc., management the South Side Ice Rink (REMARKS) Wednesday February 28, 1990	320
Cohen, Dan	Discussion - Stating there should be a post agenda on how to eliminate a "not to exceed" amount on just Engineering and Construction contracts	331
Cohen, Dan	Discussion - Supporting Jim Ferlo's motion to talk to Mr. Rossi, Manager of A-Plus Mini-Market, to be closed during the evening and early morning hours	367
Cohen, Dan	Discussion - Bill No. 506 - Designating April 22, 1990 as Earth Day 1990	371
Cohen, Dan	Discussion - Introducing Tim Barner, Suzanna Downie and Randy Walsh from Earth Day Coalition to say a few words about Bill No. 506 -Designating April 22, 1990 as Earth Day 1990	372
Cohen, Dan	Discussion - Thanking all the members of the Earth Day Coalition for receiving Bill No. 506-Designating April 22, 1990	375
Cohen, Dan	Discussion - Bill No. 315 - Supplementing the Pittsburgh Code, Title Six - Conduct, Article V -Discrimination, sexual orientation	383

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 358 - Transfer 175,000 From Code Account 1154-1, Rental of Motorized Equipment, to Code Account 59, Carnegie Lib- rary of Pittsburgh	392
Cohen, Dan	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	398
Cohen, Dan	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	401
Cohen, Dan	Discussion - Bill No. 551 - Supporting the creation of a major world class cycling event in Pittsburgh	408
Cohen, Dan	Discussion - Bill No. 452 - Agreement Women's Center & Shelter in relation to services under Emergency Shelter Grants Program, \$41,746.00 (REMARKS) Wednesday, March 21, 1990	432
Cohen, Dan	Discussion - Bill No. 481 - Cooperation Agree- ment with Housing Authority of Pittsburgh, Community and Social Service Programs in Public Housing, \$50,000.00	435
Cohen, Dan	Discussion - Bill No. 442 - Consultant for Professional Engineering/Architectural Ser- vices in connection with the Design of Clemente Park River Safety Center, \$20,000	442
Cohen, Dan	Discussion - Bill No. 577 - Commending ST.A.R. (Students Against Racisim) on their commit- ment to combatting bigotry	449
Cohen, Dan	Discussion - Bill No. 577 - Commending ST.A.R. (Students Against Racisim) on their commit- ment to combatting bigotry	450
Cohen, Dan	Discussion - Bill No. 578 - Commending Friends Indeed on their 15th Anniversary and their contributions to Pittsburgh	453
Cohen, Dan	Discussion - Bill No. 578 - Commending Friends Indeed on their 15th Anniversary and their contributions to Pittsburgh	453
Cohen, Dan	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	469
Cohen, Dan	Discussion - Agreeing stating that the Pitts- burgh Marathon needs to be addressed	481
Cohen, Dan	Discussion - Bill No. 614 - Calling upon the President of United States and the Secretary of State to urge the Soviet government to permit direct flights from the Soviet Union to Isreal	485

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 614 - Calling upon the President of United States and the Secretary of State to urge the Soviet government to permit direct flights from the Soviet Union to Isreal	486
Cohen, Dan	Discussion - Stating there is a problem with Jim Ferlo's motion on Bill No. 314 - Agreement for the implementation of Zoo Master Colonel Charles F. Bolden, Jr.	487
Cohen, Dan	Discussion - Bill No. 539 - Pittsburgh Parking Authority, property known as Schenely Plaza Parking Lot (REMARKS) Wednesday April 4, 1990	505
Cohen, Dan	Discussion Bill No. 497 - Title Eight - Fire Prevention, Chapter 801 - Adoption and Enforcement, Section F-702.0, F-704.0, F-702.4.1 and F-704.1.1 and Bill No. 498 - Title Ten - Building Chapter 1007-BOCA National Building Code Adoption Article 3 Use Group Classification, sections 304.0, 304.1, 307.0, 307.3.1, Chapter 1007 - BOCA National Buildin Code Adoption, Article 5- General Building Limitations (REMARKS) Wednesday April 4, 1990	518
Cohen, Dan	Discussion - Agreeing that the crime rate in Pittsburgh is rising	525
Cohen, Dan	Discussion - Bill No. 631 - Welcoming Steven Jobs to the City and wishes the business much success	527
Cohen, Dan	Discussion - Bill No. 632 - Proclaiming the week of April 22 through April 28, 1990 as Victims' Rights Week	528
Cohen, Dan	Discussion - Bill No. 632 - Proclaiming the week of April 22 through April 28, 1990 as Victims' Rights Week	529
Cohen, Dan	Discussion - Bill No. 570 - Ordinance Title II Fiscal, Article I, administrative, Chapter 201, Registration of Tenants (REMARKS) Wednesday April 11, 1990	540
Cohen, Dan	Discussion - stating that it's not government's place to tell Duquesne Light where to hold there stockholders meeting	550
Cohen, Dan	Discussion - Bill No. 666 - Proclaiming April 26, 1990 to be FreeWheelers Volunteer Day in the City	567

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 624 - Transfer \$50,000 from Code Account No. 46 Judgements and Interest on Judgements to Code Account 1017 Office of the Mayor	578
Cohen, Dan	Discussion - Bill No. 618 - Cooperation Agreement - The Carnegie for construction of Relocation of North Shore Drive Stadium Parking Lot #1, \$160,000.00 Amending No. 50/1987 (REMARKS) Wednesday 25, 1990	602
Cohen, Dan	Discussion - inviting Council to his post agenda meeting concerning the burglaries in North Oakland area	640
Cohen, Dan	Discussion - promotional development at the airport	643
Cohen, Dan	Discussion - status on the architect on the promotional development at the airport	644
Cohen, Dan	Discussion - autothefts and Lojack	677
Cohen, Dan	Discussion - Bill Nos. 728 and 729 - appointing John A. Zottola to the City Planning Commission and Board of Adjustment (REMARKS) Wednesday, May 16, 1990	689
Cohen, Dan	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	722
Cohen, Dan	Discussion - Bill No. 829 - Supporting the Civil Rights Act of 1990	728
Cohen, Dan	Discussion - Bill No. 829 - Supporting the Civil Rights Act of 1990	728
Cohen, Dan	Discussion - Bill No. 806 - appointing Dawn Botsford as Director of the Department of Water, effective June 4, 1990 (REMARKS) Wednesday, May 23, 1990	737
Cohen, Dan	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	767
Cohen, Dan	Discussion - concerns for the chunks of concrete falling from the Greenfield Bridge	786
Cohen, Dan	Discussion - Bill Nos. 815 through 818 - propositions involving the development on Washington's Landing (REMARKS) Wednesday, June 6, 1990	798
Cohen, Dan	Discussion - post agenda with Stanley Marshall, Airport marketing and Administration concerning Airport Development	813
Cohen, Dan	Discussion - introduction of legislation for Ethics	814

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 882 - Appointment of Randal G. Forrester to the Human Relations Commission term effective immediately and to expire July 1994 (REMARKS) Wednesday June 13, 1990	840
Cohen, Dan	Discussion - Bill No. 840 - Warrant in favor of Mellon Bank, Corporate Trust Administration \$17,107.32	843
Cohen, Dan	Discussion - urging to bring back entertainers to the Civic Arena and Three Rivers Stadium	848
Cohen, Dan	Discussion - urging to bring back entertainers to the Civic Arena and Three Rivers Stadium	849
Cohen, Dan	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	873
Cohen, Dan	Discussion - Bill No. 860 - Consultant for preschematic and site planning architectural services, in connection with the new Public Safety Building, \$100,000.00	876
Cohen, Dan	Discussion - construction to No. 6 Station in Squirrel Hill	878
Cohen, Dan	Discussion - Bill No. 951 - Prohibiting the City from investing monies pension funds stocks, securities or any other obligations of any tobacco company (REMARKS) Wednesday, June 27, 1990	896
Cohen, Dan	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	920
Cohen, Dan	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	932
Cohen, Dan	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	939
Cohen, Dan	Discussion - Bill No. 1106 - Urging the President and the Congress of U.S. to enact the Act for Better Child Care Services	955
Cohen, Dan	Discussion - Bill No. 1106 - Urging the President and the Congress of U.S. to enact the Act for Better Child Care Services	956

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	971
Cohen, Dan	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	977
Cohen, Dan	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights-of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	985
Cohen, Dan	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights-of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	986
Cohen, Dan	Discussion - bill No. 1098 - City Treasurer, Chief of Building Inspection and City Zoning Administrator begin a comprehensive review of all properties in the City which serve as sites of outdoor advertising (REMARKS) Wednesday, July 18, 1990	1014
Cohen, Dan	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1026
Cohen, Dan	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order (REMARKS) Wednesday, July 18, 1990	1028
Cohen, Dan	Discussion - Bill No. 1216 - Commending the past and present Bloomfield Morra Champions	1034
Cohen, Dan	Discussion - Bill No. 1216 - Commending the past and present Bloomfield Morra Champions	1034
Cohen, Dan	Discussion - Bill No. 1059 - Warrant in favor of Diane Clark Hoffman for \$90,000.00 (REMARKS) Wednesday, July 25, 1990	1055
Cohen, Dan	Discussion - regarding appointments to the Personnel Appeals Board	1077
Cohen, Dan	Discussion - regarding appointments to the Personnel Appeals Board	1078
Cohen, Dan	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1099
Cohen, Dan	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1102
Cohen, Dan	Discussion - Bill Nos. 1229 and 1230 - Appointments of Marilyn Detwiler and Don Machen to the Planning Commission (REMARKS) Wednesday, August 1, 1990	1105

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 1231 - Transfer \$1,100.00 From Code Account 1001-1 Misc. Services to Code Account 1838, Misc. Ser- vices, Dept. of Parks and Rec. (REMARKS) Wednesday, August 8, 1990	1158
Cohen, Dan	Discussion - Bill No. 1248 - Transfer 55,000 From Code Account 1063, Misc. Services, Dept. of Finance to the Property Tax Red- uction Trust Fund	1168
Cohen, Dan	Discussion - Bill No. 1087 - Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing Article VII (REMARKS) Wednesday, August 8, 1990	1171
Cohen, Dan	Discussion - Bill No. 1087 - Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing Article VII (REMARKS) Wednesday, August 8, 1990	1181
Cohen, Dan	Discussion - Resolution No. 78 - asphalt to other municipalities	1217
Cohen, Dan	Discussion - Bill No. 1113 - Agreement with Carriage House Children's Center, Inc., Various Accessibility Improvements, \$100,000 (REMARKS) Wednesday, September 5, 1990	1235
Cohen, Dan	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1258
Cohen, Dan	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Cohen, Dan	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Cohen, Dan	Discussion - Bill Nos. 1291 - 1293 grants to Bell Telephone Company	1265
Cohen, Dan	Discussion - Bill Nos. 1291 - 1293 grants to Bell Telephone Company	1266
Cohen, Dan	Discussion - Bill No. 1308 - Agreement Baum/ Centre/Ellsworth/Penn Circle Transportation Study, \$60,000.00 (REMARKS) Wednesday, Sept. 12, 1990	1269

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1317
Cohen, Dan	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1324
Cohen, Dan	Discussion - Bill Nos. 1388 and 1390 - Design- ating trust fund for "Fulton Theater Ren- ovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater ren- ovations, \$200,000.00 (REMARKS) Wednesday, October 3, 1990	1348
Cohen, Dan	Discussion - updating Council as to where the Ethics Bill is	1355
Cohen, Dan	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000.00 in connection with the City's Solid Waste Management Program	1382
Cohen, Dan	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1390
Cohen, Dan	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1390
Cohen, Dan	Discussion - Bill No. 1602 - Declaring Friday November 2, 1990 as Eastside Day	1395
Cohen, Dan	Discussion - Bill No. 1602 - Declaring Friday November 2, 1990 as Eastside Day	1396
Cohen, Dan	Discussion - Bill No. 1477 - Agreement Hir- ing of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Cohen, Dan	Discussion - Bill Nos. 1490 through 1495 (REMARKS) Wednesday, October 24, 1990	1446
Cohen, Dan	Discussion - water main break in the North Oakland Area of the City	1448
Cohen, Dan	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1461

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1466
Cohen, Dan	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct (REMARKS) Wednesday, October 31, 1990	1469
Cohen, Dan	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Cohen, Dan	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Cohen, Dan	Discussion - Bill No. 1725 - Calling upon Members of the Pennsylvania Congressional Delegation to support House Resolution #287	1531
Cohen, Dan	Discussion - Bill No. 1725 - Calling upon Members of the Pennsylvania Congressional Delegation to support House Resolution #287	1532
Cohen, Dan	Discussion - Bill No. 1726 - Declaring November 27, 1990 as "Dr. Barbara Shore Day" in the City	1534
Cohen, Dan	Discussion - Bill No. 1726 - Declaring November 27, 1990 as "Dr. Barbara Shore Day" in the City	1534
Cohen, Dan	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena (REMARKS) Wednesday, November 14, 1990	1549
Cohen, Dan	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	1570
Cohen, Dan	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Con- duct, Article III, Dogs and Other Animals and Fowl	1586

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Cohen, Dan	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1590
Cohen, Dan	Discussion - Bill No. 1694 - Ordinance Title Four - Public Places and Property, Article I, Streets and Sidewalks Chapter 415.01(B) Permit and Bond Required Section 415.02(A) Permit Fee-Basis of Measurements; Chapter 416 Obstructions, Section 416.02 Permit Fees for Minor Street Obstructions Section 416.04 Permit Fees for Street Encroachments and Major Street Obstructions (REMARKS) Wednesday, November 28, 1990	1623
Cohen, Dan	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1640
Cohen, Dan	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1640
Cohen, Dan	Discussion - Bill Nos. 1778 and 1779 - License Agreement with Presbyterian University Health System, Inc. and grant Presbyterian University Hospital (REMARKS) Tuesday, December 11, 1990	1670
Cohen, Dan	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Cohen, Dan	Discussion - Bill No. 1763 - Cooperation Agreement with URA, the County of Allegheny and Public Parking Authority for development of CSX, 1st Ward (REMARKS) Wednesday, December 12, 1990	1707
Cohen, Dan	Discussion - thanking Councilwoman Madoff for his gift	1711
Cohen, Mr.	Acceptance - Bill Nos. 829 and 830 - Supporting the Civil Rights Act of 1990 and supporting The Racial Justice Act	731

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coleman, Ms	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	456
Comfort, Ms	Discussion - Bill No. 1689 - Congratulating the winners in the "Don't Get Hooked on Drugs" contest	1517
Comfort, Ms.	Acceptance - Bill No. 1223 - Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1041
Commander	Acceptance - Bill No. 1728 - Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1537
Conn, Billy	Acceptance - Bill No. 220 - Declaring Tuesday, February 6, 1990, as Billy Conn Day	149
Connelly, Mr.	Acceptance - Bill No. 1143 - Congratulating Mayor Sophie Masloff the 1990 "Riverperson of the Year" urging citizens to participate in the bountiful rivers	999
Cook, Ms.	Acceptance - Bill No. 577 - Commending ST.A.R. (Students Against Racism) on their commitment to combatting bigotry	451
Coon, Eugene	Acceptance - Bill No. 85 - Declaring January 27, 1990 as SHERIFF GENE COON DAY	55
Copetas, Mr.	Acceptance - Bill No. 553 - Congratulating the Greek community on the occasion of the 169th commemoration of Hellenic People's	414
Coppola, Mr.	Acceptance - Bill No. 856 - Saluting Paint Your Heart out Pittsburgh	776
Cotman, Ms.	Acceptance - Bill No. 1421 - Proclaiming October 1, 1990 as Melba Moore Day in the City	1283
Coyne, Michael	Taking the Oath of Office	5
Coyne, Michael	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	11
Coyne, Michael	Discussion - Stating why he will support the appointment of Mary Conturo as City Solicitor Department of Law	40
Coyne, Michael	Discussion - Bill No. 84 - Calling on Congress to enact Legal Immigration Reform Introducing Mr. Cunningham, member of various groups in the City, to say a few words Coyne	54
Coyne, Michael	Discussion - Bill No. 41, 1061/90 CDBG Program decreasing line item HA-345, \$39,000 (REMARKS), Wednesday, January 17, 1990	68

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coyne, Michael	Discussion - Stating why he is voting not to send a letter to the Housing Authority on severance pay	99
Coyne, Michael	Discussion - Stating that letters need to be sent to URA, Water and Sewer Authority, and Equipment Leasing Authority concerning residency of it's members to be in the City	138
Coyne, Michael	Discussion - Stating that Council needs more information on the various pension plans for the City before they can hold a post agenda	143
Coyne, Michael	Discussion - Stating that the Administration has a solution for appointing people to authorities	243
Coyne, Michael	Discussion - Bill No. 437 - Showing gratitude to the Knights of Equity, Court No. 9, Daughters of Erin	294
Coyne, Michael	Discussion - Bill No. 438 - Commending Arlene Stromberg for her dedication to the Squirrel Hill Urban Coalition and the City	294
Coyne, Michael	Discussion - Introducing Wayne Gerhold, President, Squirrel Hill Urban Coalition	295
Coyne, Michael	Discussion - Congratulating Mike Stoudt and Tom Croft for their work for the Industrial Renaissance Conference	297
Coyne, Michael	Discussion - Bill No. 365 - Property owned by Rose Marie Balestrieri, in the 8th Ward Block 26C, Lot 324, for the sum of \$28,000 (REMARKS) Wednesday, March 7, 1990	348
Coyne, Michael	Discussion - Bill No. 315 - Supplementing the Pittsburgh Code, Title Six-Conduct, Article V-Discrimination, sexual orientation	387
Coyne, Michael	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	402
Coyne, Michael	Discussion - Thanking Jack Wagner for setting up the tour for Streets Run Stream in the Hays District, 31st Ward	446
Coyne, Michael	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	469
Coyne, Michael	Discussion - the Grand Prix issue	482
Coyne, Michael	Discussion - stating that the Director of Dept. of Public Works needs to look at the area of Streets Run Road, 31st Ward	551

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coyne, Michael	Discussion - Bill No. 658 - Congratulating the congregation of the First Hungarian Reformed Church on their Centennial Anniversary	557
Coyne, Michael	Discussion - Bill No. 624 - Transfer \$50,000 from Code Account No. 46 Judgements and Interest on Judgements to Code Account 1017 Office of the Mayor	577
Coyne, Michael	Discussion - Frick Nature Center	584
Coyne, Michael	Discussion - Bill No. 684 - Proclaiming the month of May 1990 as "Mediation Month" in the City	587
Coyne, Michael	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	722
Coyne, Michael	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	766
Coyne, Michael	Discussion - Mr. Kohling should be invited to the meeting between Council and Administration on tax reform happenings for refunds to senior citizens	785
Coyne, Michael	Discussion - contract awarded to Greentree collection firm for outstanding parking tickets and deteriorating wall on Street Runs Road	817
Coyne, Michael	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	866
Coyne, Michael	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	867
Coyne, Michael	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	867
Coyne, Michael	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	870
Coyne, Michael	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	919
Coyne, Michael	Discussion - Keeping Larry Kuzmanko as President of the Pittsburgh Marathon	951
Coyne, Michael	Discussion - Keeping Larry Kuzmanko as President of the Pittsburgh Marathon	952

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coyne, Michael	Discussion - Bill No. 985 and 986 - Contracts Materials and supplies for several City Departments, \$10,000.00 and Maintenance of personal property in the custody of various departments of the City	982
Coyne, Michael	Discussion - Greenfield Auto Station on the corner of Beechwood Boulevard and Hazelwood Avenue	991
Coyne, Michael	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1098
Coyne, Michael	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1102
Coyne, Michael	Discussion - Bill No. 1231 - Transfer \$1,100.00 From Code Account 1001-1 Misc. Services to Code Account 1838, Misc. Services, Dept. of Parks and Rec. (REMARKS) Wednesday, August 8, 1990	1158
Coyne, Michael	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1317
Coyne, Michael	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1321
Coyne, Michael	Discussion - Bill No. 1488 - Proclaiming Saturday, October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1337
Coyne, Michael	Discussion - Bill No. 1488 - Proclaiming Saturday, October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1337
Coyne, Michael	Discussion - Bill No. 1642 - Commending the members of the Iron Workers Local Union No. 3 and celebrating their 1990 Annual Anniversary Banquet	1421
Coyne, Michael	Discussion - Bill No. 1642 - Commending the members of the Iron Workers Local Union No. 3 and celebrating their 1990 Annual Anniversary Banquet	1422
Coyne, Michael	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coyne, Michael	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1487
Coyne, Michael	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1487
Coyne, Michael	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1488
Coyne, Michael	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena	1548
Coyne, Michael	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	1569
Coyne, Michael	Discussion - Recognizing the Members of the Pittsburgh Flying Disc Society	1577
Coyne, Michael	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1584
Coyne, Michael	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1587
Coyne, Michael	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pitts- burgh to provide services to disadvantaged persons, \$20,000.00	1642
Coyne, Michael	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pitts- burgh to provide services to disadvantaged persons, \$20,000.00	1642
Coyne, Michael	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pitts- burgh to provide services to disadvantaged persons, \$20,000.00	1643
Coyne, Michael	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pitts- burgh to provide services to disadvantaged persons \$20,000.00	1644

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coyne, Michael	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1649
Coyne, Michael	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1651
Coyne, Michael	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1651
Coyne, Michael	Discussion - Bill No. 1889 - Acknowledging through this acclamation its sincere appreciation and support of the efforts of the SVA	1657
Coyne, Michael	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1680
Coyne, Michael	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681
Coyne, Michael	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1682
Coyne, Michael	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Coyne, Michael	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Coyne, Michael	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Coyne, Micheal	Nominating Jim Ferlo for President of Council	7
Coyne, Micheal	Discussion - Stating that the Housing Authority has no intention of rescinding the money awarded to Daniel Pietragallo	92

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Coyne, Micheal	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1649
Coyne, Mr.	Acceptance - Bill No. 1223 - Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1043
Croft, Mr.	Discussion - Bill No. 439 - Welcoming the Conference attendees to the City critically -needed long-term endeavors	297
Croneberger, Mr.	Acceptance - Bill No. 665 - Commending the efforts of the South Side Branch Library	565
Cunningham, Mr.	Acceptance - Bill No. 84 - Calling on Congress to enact Legal Immigration Reform	54
Curry, Ms.	Acceptance - Bill No. 879 - Recognizing the Credit Union as a unique and distinct financial institution	790
Cush, Thomas	Acceptance - Bill No. 1355 - recognizing the National Athletes	1223
Darkins, Duane	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	12
Darkins, Duane	Discussion - Stating he is concerned with the Hunger Service Pittsburgh Community Service	94
Darkins, Duane	Discussion - Introducing Kingsley Association people to accept the proclamation for Black History Month, Bill No. 217 - Recognizing the contributions of the Kingsley Association towards Black History Month	145
Darkins, Duane	Discussion - Inviting Mr. Boyle, President, Kingsley Association, to say a few words about Bill No. 217 - Recognizing the contributions of the Kingsley Association towards Black History Month	146
Darkins, Duane	Discussion - Introducing Mr. Bobby Sengstacke to accept Bill No. 218 - Recognizing the month of February as AFRICAN-AMERICAN HISTORY MONTH	146
Darkins, Duane	Discussion - Introducing Mr. Bobby Sengstacke to say a few words about Bill No. 218 - Recognizing the month of February as African American History Month	147
Darkins, Duane	Discussion - asking Council to bear with him for another proclamation for Black History Month	147

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Darkins, Duane	Discussion - Introducing Cathy Milton to say a few words about Bill No. 219 - Recognizing the contributions of Cathy Milton to Black History Month	148
Darkins Duane	Discussion - Bill No. 295 - Recognizing Ms. Connie Portis for her major contributions to the City's African American Community	169
Darkins, Duane	Discussion - Stating that there is no need for Bill No. 89 - Supplementing Rule X of the Rules of Council	184
Darkins, Duane	Discussion - Presenting Bill No. 346 - Recognizing Pittsburgh Black Nurses in action for commitment to qualify health care for all persons	222
Darkins, Duane	Discussion - Bill No. 347 - Commending James Franklin Henry for unconditional dedication to the African American community	222
Darkins, Duane	Discussion - Bill No. 380 - Recognizing the Afro American Music Institute keeping the African American heritage alive	255
Darkins, Duane	Discussion - Bill No. 381 - Recognizing Regis Darrow Bobonis, Sr. for his contribution to the City and African American community	256
Darkins, Duane	Discussion - Stating he is a proud perspective of Black History	257
Darkins, Duane	Discussion - Bill No. 383 - Commending Dr. Vernell A. Lillie for contributions to the City and the Afro American community	258
Darkins, Duane	Discussion - Thanking Council President Jack Wagner for allowing the time to commemorate Black History Month	259
Darkins, Duane	Discussion - Recognizing the Dept. of Parks and Recreation for contributions to the Black History Month	285
Darkins, Duane	Discussion - Stating that he does not think Council needs security procedures	286
Darkins, Duane	Discussion - Bill No. 476 - Supporting the striking employees of Greyhound Bus Lines	338
Darkins, Duane	Discussion - Bill No. 475 - Commending Keisha McBroom for the brave heroic efforts in saving her brothers and sisters lives, Friday, February 2, 1990	338
Darkins, Duane	Discussion - Stating he will abstain from voting on Bill No. 315 - Supplementing the Pittsburgh Code, Title Six - Conduct, Article V - Discrimination, sexual orientation	386

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Darkins, Duane	Discussion - Streets Run Stream in the Hays District, 31st Ward	446
Darkins, Duane	Discussion - Praising the re-appointment of Michael Perry and Linda Johnson-Wasler for City Clerk and Assistant City Clerk	467
Darkins, Duane	Discussion - Bill No. 539 - Pittsburgh Parking Authority, property known as Schenely Plaza Parking Lot (REMARKS) Wednesday April 4, 1990	505
Darkins, Duane	Discussion - agreeing with Jake Milliones that there is not enough minorities in EMS	526
Darkins, Duane	Discussion - Bill No. 633 - Supporting the week of April 15th as National Minority Cancer Awareness Week in the City	530
Darkins, Duane	Discussion - Bill No. 633 - Supporting the week of April 15th as National Minority Cancer Awareness Week in the City	531
Darkins, Duane	Discussion - Bill No. 634 - Welcoming the National Convention of Gospel Choirs and Chorus, Inc. to the City	532
Darkins, Duane	Discussion - stating that Michelle Madoff needs to go to Westgate Broadhead Manor herself in order to get action	549
Darkins, Duane	Discussion - Bill No. 624 - Transfer \$50,000 from Code Account No. 46 Judgements and Interest on Judgements to Code Account 1017 Office of the Mayor	576
Darkins, Duane	Discussion - Security in the Department of City Council	617
Darkins, Duane	Discussion - Bill No. 720 - Proclaiming Wednesday May 16, 1990 as "Dolores Sanchez Day" in the City	622
Darkins, Duane	Discussion - Bill No. 721 - Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to commitment	622
Darkins, Duane	Discussion - Bill No. 721 - Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to commitment	623
Darkins, Duane	Discussion - status on the architect on the promotional development at the airport	644
Darkins, Duane	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	723

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Darkins, Duane	Discussion - Bill No. 853 - Commending the Mayor's Commission on Families for organizing a task force to inform young people that the choices they make will follow them for years to come	771
Darkins, Duane	Discussion - Bill No. 853 - Commending the Mayor's Commission on Families for organizing a task force to inform young people that the choices they make will follow them for years to come	772
Darkins, Duane	Discussion - Bill No. 967 - Commending Mother Bernice Groce for her dedication to the lives of others	820
Darkins, Duane	Discussion - Bill No. 967 - Commending Mother Bernice Groce for her dedication to the lives of others	820
Darkins, Duane	Discussion - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Darkins, Duane	Discussion - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Darkins, Duane	Discussion - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Darkins, Duane	Acceptance - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Darkins, Duane	Discussion - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Darkins, Duane	Discussion - Bill No. 1018 - Supporting the Allegheny Trails Council on its endeavors to foster a productive atmosphere for the youth of Allegheny County	855
Darkins, Duane	Discussion - stating that he is in support of Jack Wagner	873
Darkins, Duane	Discussion - Bill No. 1048 - Saluting the Pittsburgh Center for Arts for its dedication to carry out its mission to encourage participation for the arts	885
Darkins, Duane	Discussion - Bill No. 1049 - Proclaiming July 3, 1990 as "Greater Love Outreach Day" in the City	887
Darkins, Duane	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	977

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Darkins, Duane	Discussion - Bill No. 985 and 986 - Contracts Materials and supplies for several City Departments, \$10,000.00 and Maintenance of personal property in the custody of various departments of the City	982
Darkins, Duane	Discussion - that the particular property responsible for wrecked autos and garbage dumped be sited individually	993
Darkins, Duane	Discussion - Bill No. 1141 - Commending First Lady Masire and the Charity Fund for their determination	996
Darkins, Duane	Discussion - Bill No. 1141 - Commending First Lady Masire and the Charity Fund for their determination	996
Darkins, Duane	Discussion - Bill No. 1142 - African American Labor Center selected Pittsburgh as a study site	997
Darkins, Duane	Discussion - Bill No. 1142 - African American Labor Center selected Pittsburgh as a study site	997
Darkins, Duane	Discussion - Bill No. 1219 - Commending the Homewood-Brushton YMCA Job Plus Program	1037
Darkins, Duane	Discussion - Bill No. 1220 - Proclaiming August 22, 1990 as Elder Oscar Timothy Tillman Day in the City	1038
Darkins, Duane	Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines	1095
Darkins, Duane	Discussion - Bill No. 1352 - Proclaiming September 13, 1990 as Luciano Pavarotti Day in the City	1220
Darkins, Duane	Discussion - Bill No. 1420 - urging all organizations to join the Health Education Center	1282
Darkins, Duane	Discussion - Bill No. 1421 - Proclaiming October 1, 1990 as Melba Moore Day in the City	1283
Darkins, Duane	Discussion - Bill No. 1454 - Declaring October 7-13, 1990 as Mental Illness Awareness Week in the City	1300
Darkins, Duane	Discussion - Bill No. 1455 - Welcoming all those attending the National Apostolate of maronites Regional Convention	1301
Darkins, Duane	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1322

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Darkins, Duane	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater renovations, \$200,000.00	1353
Darkins, Duane	Discussion - Bill No. 1554 - Saluting "Grand Marshall" in the Afro-American Heritage Parade Association, Inc.	1363
Darkins, Duane	Discussion - Bill No. 1603 - Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1397
Darkins, Duane	Discussion - Bill No. 1603 - Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1397
Darkins, Duane	Discussion - Bill No. 1604 - Proclaiming October 26, 1990 as Joan Rivers Day in the City	1398
Darkins, Duane	Discussion - Bill No. 1604 - Proclaiming October 26, 1990 as Joan Rivers Day in the City	1398
Darkins, Duane	Discussion - Bill No. 1643 - Paying tribute to the founders of the Guardians of Greater Pittsburgh	1422
Darkins, Duane	Discussion - Bill No. 1643 - Paying tribute to the founders of the Guardians of Greater Pittsburgh	1423
Darkins, Duane	Discussion - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1514
Darkins, Duane	Discussion - Bill No. 1727 - Proclaiming November 24, 1990 as "Mildred Wade Day" in the City	1535
Darkins, Duane	Discussion - Bill No. 1679 - Ordinance Title One - Administrative, Article XI - Personnel, Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1565
Darkins, Duane	Discussion - Bill No. 1837 - Recognizing the Western Pennsylvania Police Athletic League	1598
Darkins, Duane	Discussion - Bill No. 1838 - Recognizing the Champions Association and its capable Executive Director, William R. Neal, Jr.	1598
Darkins, Duane	Discussion - Bill No. 1837 - Recognizing the Western Pennsylvania Police Athletic League	1598

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Darkins, Duane	Discussion - Bill No. 1837 - Recognizing the Western Pennsylvania Police Athletic League	1598
Darkins, Duane	Discussion - Bill No. 1838 - Recognizing the Champions Association and its capable Executive Director, William R. Neal, Jr.	1599
Darkins, Duane	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1644
Darkins, Duane	Discussion - Bill No. 1891 - Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1659
Darkins, Duane	Discussion - Bill No. 1891 - Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1660
Darkins, Duane	Discussion - wishing all his colleagues a Merry Christmas and Happy New Year	1712
Darkins, Mr.	Discussion - Bill No. 475 - Commending Keisha McBroom for the brave heroic efforts in saving her brothers and sisters lives, Friday February 2, 1990	338
Davis, Mr.	Acceptance - Bill No. 1837 - Recognizing the Western Pennsylvania Police Athletic League	1598
DeMonfort, Mr.	Acceptance - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	593
DeRoy, Chief	Acceptance - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1602
DiLeo, Ms.	Acceptance - Bill No. 1326 - honoring South-western Pennsylvania Regional Planning Commission	1199
Dickinson, Chief	Acceptance - Bill No. 1486 - Declaring the week of October 7-13, 1990 as Fire Prevention Week in the City	1334
Dolinski, Ms.	Acceptance - Bill No. 1052 - Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	891
Downie, Ms.	Acceptance - Bill No. 506 - Designating April 22, 1990 as Earth Day 1990	374

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Drummond, Officer	Discussion - Presenting Keisha McBroom's with an award for saving the lives of her brothers and sisters	338
Dugan, Ms.	Acceptance - Bill No. 1556 - Declaring October 22, 1990 to be Robert Leathers Design Day in the City	1365
Dworkan, Mr.	Acceptance - Bill No. 833 - Proclaiming the week of June 4 through June 9, 1990 as "Motorcycle Awareness Week" in the City	734
Dyer, Mr.	Acceptance - Bill No. 296 - Commending the Pittsburgh Black Media Federation for positive influence on the African American Community	171
Eckle, Mr.	Acceptance - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	592
Effort, Dr.	Discussion - Bill No. 832 - Urging the State Assembly to secure an adequate appropriation for Medicaid assistance for dental service	733
Ellis, Dr.	Acceptance - Bill No. 853 - Commending the Mayor's Commission on Families for organizing a task force to inform young people that the choices they make will follow them for years to come	772
Englehart, Mr.	Acceptance - Bill No. 552 - Recognizing the crisis in the nursing homes and calling all area State Representatives and Senators to support the Bills in the State Legislature	411
Falkowski, Mr.	Acceptance - Bill No. 661 - Proclaiming April 28, 1990 as Workers Memorial Day in recognition of workers killed, injured and disabled on the job	560
Fedele, Mr.	Acceptance - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Ferlo, Jim	Taking the Oath of Office	5
Ferlo, Jim	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	13
Ferlo, Jim	Discussion - Questioning Mary Conturo's abilities to be the City Solicitor and requesting a represented from the Mayor's Office to be present with her for the Council Meeting Wednesday, Jan. 10, 1990	31

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Post Agenda Meetings of the WHIP Program and the PCRG Merger, to be held on January 17 and 24, 1990	31
Ferlo, Jim	Discussion - Stating why he will support the appointment of Mary Conturo as City Solicitor Department of Law	42
Ferlo, Jim	Discussion - Raising concern about the leadership positions in governments (Black and Female)	44
Ferlo, Jim	Discussion - Bill No. 17 - regarding the Budget of Neighborfair	46
Ferlo, Jim	Discussion - Reminding Council of the WHIP and PCRG post agenda and his Bill for the Housing Authority and a house demolition on Euclid Avenue	50
Ferlo, Jim	Discussion - he Pittsburgh Zoo Concessionaire Contract	52
Ferlo, Jim	Discussion - Bill No. 18, Conditional Use Section 993.01(a)A-(4) of Pittsburgh Code (REMARKS) Wednesday January 17, 1990	66
Ferlo, Jim	Discussion - Bill No. 41, 1061/90 CDBG Program decreasing line item HA-345, \$39,000.00, (REMARKS), Wednesday, January 17, 1990	68
Ferlo, Jim	Discussion - Bill No. 42, 1061/90 CDBG Program increasing line item CP-468, \$39,000.00 (REMARKS), Wednesday, January 17, 1990	87
Ferlo, Jim	Discussion - Stating why he does not want to recommit Bill No. 41 and Bill No. 42	92
Ferlo, Jim	Discussion - Stating that \$39,000.00 could be used for the City's anti-poverty Services rather than a one time gift to Daniel Pietragallo	94
Ferlo, Jim	Discussion - Stating that he does not recall any Director that retired to have received severance pay	98
Ferlo, Jim	Discussion - Wants and explanation of severance pay according to City Policy	98
Ferlo, Jim	Discussion - Asking that the letter to be sent to the Housing Authority adopt the same as the City's Policy on severance pay	99
Ferlo, Jim	Discussion - Inviting representatives from the various senior centers to step forward to receive their Resolution	105
Ferlo, Jim	Discussion - Stating how important the MOM Bill is to the Citizens of the City	106

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Stating that he will be joining all the Seniors in Harrisburg on February 7, 1990 lobbying for the MOM Bill	107
Ferlo, Jim	Discussion - Bill No. 40 Agreements with Pittsburgh Clean Community System Program Committee, \$540,000.00 (REMARKS), Wednesday, January 24, 1990	127
Ferlo, Jim	Discussion - Bill No.'s 189 and 190 wants to approve the appointees and then bring them in front of Council	138
Ferlo, Jim	Discussion - Stating he wants Council to receive reports from Ben Hayllar regarding depositories, reports from Glenn Cannon regarding video poker machines, and stating there is no need to deduct \$39,000.00 form Housing Authority grants	139
Ferlo, Jim	Discussion - Agreeing with Michael Coyne's suggestion of sending letters to URA, Water and Sewer Authority, and Equipment Leasing Authority concerning residency of it's members to be in the City	139
Ferlo, Jim	Discussion - Agreeing with Michelle Madoff for getting general information on the various pension plans throughout the City and different authorities	142
Ferlo, Jim	Discussion - Stating a change of attitude towards the City's Legislative Lobbyist, Mr. Kohling	154
Ferlo, Jim	Discussion - Bill No. 72 warrant in favor of Lobel, Winthrop & Broker, \$5,515.99 (REMARKS), Wednesday, January 31, 1990	155
Ferlo, Jim	Discussion - Stating that he is voting for Bill No. 72, warrant in favor of Lobel, Winththorp & Broker, \$5,515.99	158
Ferlo, Jim	Discussion - Stating that he will not be in Council session Wednesday February 7, 1990 because he is going to Harrisburg for lobbying efforts for the MOM Bill	163
Ferlo, Jim	Discussion - Stating that Council should forward the Resolution to the National Legal Services Board of Directors and to the City Solicitor	167
Ferlo, Jim	Discussion - Bill No. 89 - Supplementing Rule X of the Rules of Council, amendment	181

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Stating that he disagrees with Jack Wagner on Bill No. 89 - Supplementing Rule X of the Rules of Council	183
Ferlo, Jim	Discussion - Stating that Bill No. 89 - Supplementing Rule X of the Rules of Council should coincide with Mr. Ricciardi's legislation	185
Ferlo, Jim	Discussion - Bill No. 160 - warrant in favor David J. Pierson and Lori Ann for \$50,000	188
Ferlo, Jim	Discussion - Bill No. 173 - warrant in favor of Public Strategies, Inc., \$1,000.00	190
Ferlo, Jim	Discussion - Bill No. 173 - Warrant in favor of Public Strategies Inc., \$1,000.00	190
Ferlo, Jim	Discussion - Asking if Gene Ricciardi is planning to hire a political consultant	191
Ferlo, Jim	Discussion - Bill Nos. 148 and 149 - application Dept. of Community Affairs on the GNC property	204
Ferlo, Jim	Discussion - Stating that Council should know where their money is going in regards to Bill Nos. 148 and 149 - application Dept. of Community Affairs on the GNC property	204
Ferlo, Jim	Discussion - Bill Nos. 148 and 149 - application Dept. of Community Affairs on the GNC property	205
Ferlo, Jim	Discussion - Stating Michelle Madoff needs to make a motion for a public hearing on unfunded pension, worker's comp. and Water Dept. collections	213
Ferlo, Jim	Discussion - Bill No. 349 - Commending JUST HARVEST for their advocacy work for National School Breakfast Program to Pittsburgh	223
Ferlo, Jim	Discussion - Introducing Joni Rabinowitz and Ken Regal of JUST HARVEST to say a few words	224
Ferlo, Jim	Discussion - Stating to maintain the struggle until minorities in South Africa have full political and human rights	226
Ferlo, Jim	Discussion - Bill No. 46 - Warrant in favor of American Rent-A-Ride, Inc., stating he is voting against it	233
Ferlo, Jim	Discussion - Agreeing with Michelle Madoff making it mandatory that anyone leaving government would also leave their appointed position on an authority	241

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Informing Council on his last Housing Authority meeting	244
Ferlo, Jim	Discussion - Recognizing Bob Pitts, the new Mayor of Wilkinsburg	252
Ferlo, Jim	Discussion - Talking about amending Bill No. 89 - Supplementing Rule X of the Rules of Council	264
Ferlo, Jim	Discussion - Bill No. 229 - furnishing of motorized fire equipment for Dept. of General Services, \$660,000	273
Ferlo, Jim	Discussion - No. 282 - Agreements with University of Pittsburgh for services, \$20,000.00, Shakespeare Festival	283
Ferlo, Jim	Discussion - Stating that he is against bulletproof glass and buzzers	287
Ferlo, Jim	Discussion - Stating he is in agreement that The Administration for figures for an assessment to each tax-free entity	290
Ferlo, Jim	Discussion - Bill No. 439 - Welcoming the Conference attendees to the City critically needed long-term endeavors	295
Ferlo, Jim	Discussion - Bill No. 439 - Welcoming the Conference attendees to the City critically needed long-term endeavors	296
Ferlo, Jim	Discussion - Supporting the tabling of Bill Nos. 385 and 386 - appointments of Joan Ivey and Ralph Alster to the Historic Review Commission	304
Ferlo, Jim	Discussion - Bill No. 19 - Amending Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 987 (REMARKS) Wednesday, February 28, 1990	309
Ferlo, Jim	Discussion - Bill No. 322 - Cooperation Agreement with URA for Washington's Landing (REMARKS) Wednesday, February 28, 1990	311
Ferlo, Jim	Discussion - Stating there needs to be communication between Council and the State Bill No. 322 - Cooperation Agreement with URA for Washington's Landing	315
Ferlo, Jim	Discussion - Bill No. 324 - Cooperation Agreement with URA to undertake street-scape improvement for the 5th Avenue Square Area (REMARKS) Wednesday, February 28, 1990	316

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Stating he will vote against Bill No. 324 - Cooperation Agreement with URA to undertake streetscape improvement for the 5th Avenue Square Area	319
Ferlo, Jim	Discussion - Stating that Councilmembers have prerogative to introduce legislation to amend the Municipal Code	332
Ferlo, Jim	Discussion - Stating that Michelle Madoff should introduce legislation on a "not to exceed" number even though it might be improper	333
Ferlo, Jim	Discussion - Stating that a "not to exceed" number for contracts has never been submitted to Council	333
Ferlo, Jim	Discussion - giving a false proclamation to Mr. Frank P. Resseano as The Slum Landlord Award For Excellence	334
Ferlo, Jim	Discussion - stating he has pictures of Mr. Frank P. Resseano as The Slum Landlord Award For Excellence	335
Ferlo, Jim	Discussion - Bill No. 476 - Designating March 17, 1990 as Lawrenceville Boys and Girls Club Day in the City	339
Ferlo, Jim	Discussion - Bill No. 476 - Designating March 17, 1990 as Lawrenceville Boys and Girls Club Day in the City	340
Ferlo, Jim	Discussion - Bill No. 334 - South Side Skating Rink Public Property in the 16th Ward, Block 12-P-152, 13-F-151, 13-E-220, 13-F-32, 13-F-1, 13-K-1, 13-E-280, 13-E-225, \$1.00 (REMARKS) Wednesday, March 7, 1990	352
Ferlo, Jim	Discussion - Bill No. 223 - Agreement Purchase of fuel for City owned vehicles, \$625,000.	357
Ferlo, Jim	Discussion - Stating that the police respond to frequently because of the consistency of problems with security for that convenience store	368
Ferlo, Jim	Discussion - Bill No. 508 - Proclaiming Tuesday, March 20, 1990, as Dr. Jack Hill Day in the City	376
Ferlo, Jim	Discussion - Bill No. 508 - Proclaiming Tuesday, March 20, 1990 as Dr. Jack Hill Day in the City	376
Ferlo, Jim	Discussion - Bill No. 315 - Supplementing the Pittsburgh Code, Title Six-Conduct, Article V Discrimination, sexual orientation	384

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 421 - Lease City Council District Office facilities, \$45,000.00	397
Ferlo, Jim	Discussion - Bill No. 551 - Supporting the creation of a major world class cycling event	410
Ferlo, Jim	Discussion - Bill No. 552 - Recognizing the crisis in the nursing homes and calling all area State Representatives and Senators to support the Bills in the State Legislature	411
Ferlo, Jim	Discussion - Bill No. 449 - Authorization to Allegheny General Hospital construct a five-story, 120-bed care facility of HEMLOCK STREET and JAMES STREET, 22nd Ward	431
Ferlo, Jim	Discussion - Bill No. 462 - Agreement with the East End Cooperative Ministries, under the Emergency Shelter Grants Program	435
Ferlo, Jim	Discussion - Bill No. 442 - Consultant for Professional Engineering/Architectural Services in connection with the Design of Clemente Park River Safety Center, \$20,000.00	438
Ferlo, Jim	Discussion - Streets Run Stream in the Hays District, 31st Ward	447
Ferlo, Jim	Discussion - Bill No. 579 - Proclaiming the month of April as "Fair Housing Month" to commemorate the 22nd Anniversary of National Fair Housing Legislation	455
Ferlo, Jim	Discussion - Bill No. 580 - Saluting Vintage Grand Prix Association	456
Ferlo, Jim	Discussion - Bill No. 580 - Saluting Vintage Grand Prix Association	459
Ferlo, Jim	Discussion - Bill No. 582 - Recognizing Molly Rush as a true hero for onslaught of nuclearism	463
Ferlo, Jim	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	470
Ferlo, Jim	Discussion - Bill No. 539 - Pittsburgh Parking Authority, property known as Schenely Plaza Parking Lot (REMARKS) Wednesday April 4, 1990	504
Ferlo, Jim	Discussion - stating that Westgate Broadhead Manor center should be opening	548
Ferlo, Jim	Discussion - stating that Council needs a report for URA on the \$75,000.00 for Westgate Broadhead Manor	548

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - stating it is unfair for Equitable Gas to raise their rates	553
Ferlo, Jim	Discussion - stating that the Public Hearing on Hunger and access to food should be in the evening	554
Ferlo, Jim	Discussion - Bill No. 624 - Transfer \$50,000 from Code Account No. 46 Judgements and Interest on Jundgements to Code Account 1017 Office of the Mayor	576
Ferlo, Jim	Discussion - Bill No. 686 - Recognizing the important contributions which Pat and Carrie Brunett have made to the lives of school children in Bloomfield and Garfield communities	590
Ferlo, Jim	Discussion - Bill No. 686 - Recognizing the important contributions which Pat and Carrie Brunett have made to the lives of school children in Bloomfield and Garfield communities	590
Ferlo, Jim	Discussion - Equitable Gas Company rate hike	615
Ferlo, Jim	Discussion - Security in the Department of City Council	617
Ferlo, Jim	Discussion - regarding American Flag and State Flag being put on the City-County Building	618
Ferlo, Jim	Discussion - inviting Council to his public hearing on the rate hike at Equitable Gas	640
Ferlo, Jim	Discussion - Stating that he has alot of questions for Mr. Zottola and Ms. Miskovich	640
Ferlo, Jim	Discussion - formal agreement between the Mayor and the County concerning the Public Safety Building	641
Ferlo, Jim	Discussion - it's a good idea to have a meeting for all concerned in promotional development at the airport	643
Ferlo, Jim	Discussion - Bill Nos. 727 and 730 appointments of Deborah MisKovich and Linda Brown	666
Ferlo, Jim	Discussion - Bill Nos. 727 and 730 appointments of Deborah MisKovich and Linda Brown	667
Ferlo, Jim	Discussion - autothefts and Lojack	678
Ferlo, Jim	Discussion - Bill Nos. 728 and 729 - appointing John A. Zottola to the City Planning Commission and Board of Adjustment (REMARKS) Wednesday, May 16, 1990	688
Ferlo, Jim	Discussion - Bill No. 701 - Fixing the number of officers and employees of the City due to recent Police Arbitration Award	711

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 701 - Fixing the number of officers and employees of the City due to recent Police Arbitration Award	713
Ferlo, Jim	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	720
Ferlo, Jim	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	721
Ferlo, Jim	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	722
Ferlo, Jim	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	723
Ferlo, Jim	Discussion - congratulating Mayer DeRoy for his appointment as Police Chief	725
Ferlo, Jim	Discussion - Bill Nos. 829 and 830 - Supporting the Civil Rights Act of 1990 and supporting The Racial Justice Act	729
Ferlo, Jim	Discussion - Bill No. 832 - Urging the State Assembly to secure an adequate appropriation for Medicaid assistance for dental service	732
Ferlo, Jim	Discussion - Bill No. 806 - appointing Dawn Botsford as Director of the Department of Water, effective June 4, 1990 (REMARKS) Wednesday, May 23, 1990	737
Ferlo, Jim	Discussion - Bill No. 767 - Acceptance from Timothy J. Rooney of certain property in the 26th Ward (REMARKS) Wednesday, May 23, 1990	751
Ferlo, Jim	Discussion - Bill No. 769 - Act No. 171 of 1984 "Second Class City Treasurer Sale (REMARKS) Wednesday, May 23, 1990	753
Ferlo, Jim	Discussion - delays in the construction of the Grandview Hotel	763
Ferlo, Jim	Discussion - delays in the construction of the Grandview Hotel	764
Ferlo, Jim	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	766
Ferlo, Jim	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	767
Ferlo, Jim	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	767

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - receive a report from the Administration regarding the Zone 5 Police Station	769
Ferlo, Jim	Discussion - Bill No. 879 - Recognizing the Credit Union as a unique and distinct financial institution	789
Ferlo, Jim	Discussion - Bill No. 879 - Recognizing the Credit Union as a unique and distinct financial institution	790
Ferlo, Jim	Discussion - opposition to Bill Nos. 815 through 818 - propositions involving the development on Washington's Landing	798
Ferlo, Jim	Discussion - investments of City public dollars to the lighting of various streets and alley ways	816
Ferlo, Jim	Discussion - inviting Councilmembers to meet with a group of resident from Highland Park and Morningside neighborhoods	817
Ferlo, Jim	Discussion - Bill No. 969 - Declaring the week of July 1 through July 7, 1990 as "Crime Prevention Week" in the City	822
Ferlo, Jim	Discussion - Bill No. 969 - Declaring the week of July 1 through July 7, 1990 as "Crime Prevention Week" in the City	822
Ferlo, Jim	Discussion - urging to bring back entertainers to the Civic Arena and Three Rivers Stadium	849
Ferlo, Jim	Discussion - calling of a post agenda to discuss the recycling issue	849
Ferlo, Jim	Discussion - Schenley Plaza Project	851
Ferlo, Jim	Discussion - Bill No. 1048 - Saluting the Pittsburgh Center for Arts for its dedication to carry out its mission to encourage participation for the arts	886
Ferlo, Jim	Discussion - Bill No. 1049 - Proclaiming July 3, 1990 as "Greater Love Outreach Day" in the City	886
Ferlo, Jim	Discussion - Bill No. 1049 - Proclaiming July 3, 1990 as "Greater Love Outreach Day" in the City	887
Ferlo, Jim	Discussion - Bill No. 1050 - Declaring July 1st to July 7th as "A Week of Solidarity with Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	887

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 1050 - Declaring July 1st to July 7th as "A Week of Solidarity with Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	888
Ferlo, Jim	Discussion - Bill Nos. 956 and 957 - Creating a special trust fund (PTRTF) and transfer \$5,000.00 from Code Account 1001-1 Miscellaneous Services, City Council (REMARKS) June 27, 1990	901
Ferlo, Jim	Discussion - If you are Board member of an organization receiving funds from Council you should abstain from voting on that issue	917
Ferlo, Jim	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	918
Ferlo, Jim	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	918
Ferlo, Jim	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	919
Ferlo, Jim	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	919
Ferlo, Jim	Discussion - Bill No. 885 - Supplemental Agreement with Consultant for Design Services in connection with the Reconstruction of Arlington Avenue Amending No. 203/1989	922
Ferlo, Jim	Discussion - post agenda on recycling	924
Ferlo, Jim	Discussion - Bill No. 1056 - Agreement Consultant to conduct a study of fire protection services within the City, \$195,000.00 Repealing No. 731/1989	927
Ferlo, Jim	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	932
Ferlo, Jim	Discussion - Bill No. 1005 - Consultant for professional services in connection with arbitrage rebate calculation for the City of Pittsburgh's General Obligation Bond, \$5,000.00	933

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	938
Ferlo, Jim	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	939
Ferlo, Jim	Discussion Bill Nos. 977 and 978 - agreement for bridge inspection, \$25,000.00 for the Schenley Park Bridge	942
Ferlo, Jim	Discussion - study that the City Planning Dept. is doing on historic designation	945
Ferlo, Jim	Discussion - actions by the Police Dept. or River Rescue regarding the mooring of boats at the Point and reorganization of the Trial Board	946
Ferlo, Jim	Discussion - Keeping Larry Kuzmanko as President of the Pittsburgh Marathon	950
Ferlo, Jim	Discussion - Keeping Larry Kuzmanko as President of the Pittsburgh Marathon	952
Ferlo, Jim	Discussion - Bill No 1107 - comending Mark S. Schneider for his achievements in paramedics and congratulating him for his receipt of "The Paramedic of the Year Award" for 1990	957
Ferlo, Jim	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	973
Ferlo, Jim	Discussion - Bill No. 1023 - Agreement with Borough of Greentree to permit to drain sanitary sewage into the City	978
Ferlo, Jim	Discussion - Bill No. 985 and 986 - Contracts Materials and supplies for several City Departments, \$10,000.00 and Maintenance of personal property in the custody of various departments of the City	982
Ferlo, Jim	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988 (REMARKS) Wednesday, July 11, 1990	984
Ferlo, Jim	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	985
Ferlo, Jim	Discussion - City of Pittsburgh owns the Sixth Floor of the City County Building	989

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - The \$75,000 left from the contract the City has to lease the sixth floor of the City County Building	990
Ferlo, Jim	Discussion - The \$75,000 left from the contract the City has to lease the sixth floor of the City County Building	990
Ferlo, Jim	Discussion - URA and the Business Assistance Center to work with Planning on potential businesses	992
Ferlo, Jim	Discussion - passage of the Medicare Overcharge Measure Bill that was signed into law	993
Ferlo, Jim	Discussion - Bill Nos. 1090 and 1098 - Filing of an application by the City in connection with JTPA, \$960,000.00 and City Treasurer, Chief of Building Inspection and City Zoning Administrator begin a comprehensive review of all properties in the City which serve as sites of outdoor advertising (REMARKS) Wednesday, July 18, 1990	1014
Ferlo, Jim	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1022
Ferlo, Jim	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1024
Ferlo, Jim	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1025
Ferlo, Jim	Discussion - communicate to Administration Council's request prior to Public Hearing on recycling	1032
Ferlo, Jim	Discussion - Bill No. 1222 - Proclaiming the month of August to be Blockbuster Video Kidprint Month in the City	1039
Ferlo, Jim	Discussion - Bill No. 1222 - Proclaiming the month of August to be Blockbuster Video Kidprint Month in the City	1040
Ferlo, Jim	Discussion - Bill No. 1222 - Proclaiming the month of August to be Blockbuster Video Kidprint Month in the City	1041
Ferlo, Jim	Discussion - Bill No. 1059 - Warrant in favor of Diane Clark Hoffman for \$90,000.00 (REMARKS) Wednesday, July 25, 1990	1055
Ferlo, Jim	Discussion - Bill Nos. 1227 - 1230 appointments of various people to various commissions	1073
Ferlo, Jim	Discussion - regarding appointments to the Personnel Appeals Board	1074

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - regarding appointments to the Personnel Appeals Board	1074
Ferlo, Jim	Discussion - regarding appointments to the Personnel Appeals Board	1076
Ferlo, Jim	Discussion - public hearing on the recycling Ordinance	1080
Ferlo, Jim	Discussion - supporting "National Night Out" and block party with Lawrenceville Block Watch Network	1081
Ferlo, Jim	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1097
Ferlo, Jim	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1098
Ferlo, Jim	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1100
Ferlo, Jim	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1102
Ferlo, Jim	Discussion - Bill No. 893 - Requesting the Mayor to establish the Pittsburgh Food Policy Commission (REMARKS) Wednesday, August 1, 1990	1120
Ferlo, Jim	Discussion - Bill No. 867 - Title Nine - Zoning, Article III, Chapter 921 Zoning District Penn Avenue, Ligonier Street, 6th Ward (REMARKS) Wednesday, August 1, 1990	1128
Ferlo, Jim	Discussion - Bill No. 1056 - Agreement with consultant to conduct a study of fire protection services within the City, \$195,000.00 Repealing No. 731/1989 (REMARKS) Wednesday August 1, 1990	1131
Ferlo, Jim	Discussion - Bill No. 1116 - Purchase of mobile trailer to house the operations of the City Tow Pound, \$50,000.00 (REMARKS) Wednesday, August 1, 1990	1141
Ferlo, Jim	Discussion - investigation into the oil companies	1144
Ferlo, Jim	Discussion - Join Senators and Congressman to investigate the biggest recipients in the Country	1145
Ferlo, Jim	Discussion - public hearing on the revised smoking vending machine ordinance	1145

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - public hearing on the revised smoking vending machine ordinance	1146
Ferlo, Jim	Discussion - Bill No. 1248 - Transfer 55,000 From Code Account 1063, Misc. Services, Dept. of Finance to the Property Tax Reduction Trust Fund	1168
Ferlo, Jim	Discussion - Bill No. 1248 - Transfer 55,000 From Code Account 1063, Misc. Services, Dept. of Finance to the Property Tax Reduction Trust Fund	1168
Ferlo, Jim	Discussion - Bill No. 1248 - Transfer 55,000 From Code Account 1063, Misc. Services, Dept. of Finance to the Property Tax Reduction Trust Fund (REMARKS) Wednesday, August 8, 1990	1168
Ferlo, Jim	Discussion - Bill No. 1087 - Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing Article VII (REMARKS) Wednesday, August 8, 1990	1171
Ferlo, Jim	Discussion - Bill No. 1234 - Cooperation Agreement between the City and Housing Authority	1187
Ferlo, Jim	Discussion - Bill No. 1154 - Contract Reconstruction of Grant Street, Phase 4 Amending No. 703/1988	1192
Ferlo, Jim	Discussion - Bill No. 1162 - Contract Renovation of Various Public Safety Facilities, \$266,998.00	1194
Ferlo, Jim	Discussion - Council not receiving a six year capital budget	1215
Ferlo, Jim	Discussion - Mr. Kuzmanko and the Pittsburgh Marathon issue	1218
Ferlo, Jim	Discussion - Bill No. 1353 - Proclaiming September 14, 1990 American Textile Company Day in the City	1220
Ferlo, Jim	Discussion - Bill No. 1353 - Proclaiming September 14, 1990 American Textile Company Day in the City	1221
Ferlo, Jim	Discussion - Bill No. 1354 - Declaring Wednesday, October 3, 1990 as National Health Care Action Day in the City	1221
Ferlo, Jim	Discussion - Bill No. 1354 - Declaring Wednesday, October 3, 1990 as National Health Care Action Day in the City	1222

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 1224 appointment of Ralph Proctor to Human Relations Commission term effective immediately and to expire July, 1991	1229
Ferlo, Jim	Discussion - garbage pick-up throughout the City	1241
Ferlo, Jim	Discussion - Bill No. 1305 - Ordinance Title One - Administrative, Article XI, Personnel, Chapter 181, General Provisions	1254
Ferlo, Jim	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1258
Ferlo, Jim	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Ferlo, Jim	Discussion - Bill Nos. 1291 - 1293 grants to Bell Telephone Company	1264
Ferlo, Jim	Discussion - Bill Nos. 1291 - 1293 grants to Bell Telephone Company	1265
Ferlo, Jim	Discussion - Bill No. 1334 - Contract flexible beam guiderails at various locations, \$75,000.00	1268
Ferlo, Jim	Discussion - Bill No. 1308 - Agreement with Baum/Centre/Ellsworth/Penn Circle Transport- ation Study	1268
Ferlo, Jim	Discussion - Bill No. 1309 - Submitting appli- cations for funding State and Federal agencies for riverfront development, \$200,000.00	1273
Ferlo, Jim	Discussion - bring operating dollars into CD Neighborhoods	1276
Ferlo, Jim	Discussion - complaints and concerns of citi- zens concerning the Planning Commission	1276
Ferlo, Jim	Discussion - Concerns of citizens regarding the Mayor's Complaint Center	1278
Ferlo, Jim	Discussion - Concerns of citizens regarding the Mayor's Complaint Center	1278
Ferlo, Jim	Discussion - Bill No. 1394 - vacating Congress Street, 3rd Ward	1289
Ferlo, Jim	Discussion - Bill No. 1338 - grant Frenchy's Restaurant the license to construct an awning on the sidewalk of Sixth Street 2nd Ward	1295

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1310
Ferlo, Jim	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection (REMARKS) Wednesday, September 26, 1990	1311
Ferlo, Jim	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Reg- ulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1317
Ferlo, Jim	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1321
Ferlo, Jim	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1324
Ferlo, Jim	Discussion - establishing the First Annual Halloween Parade and Trick or Treat Night in the Lawrenceville community	1327
Ferlo, Jim	Discussion - Bill No. 1483 - Wishing April Wierzbowski and other peer leaders success with the SMART MOVES program	1330
Ferlo, Jim	Discussion - Bill No. 1483 - Wishing April Wierzbowski and other peer leaders success with the SMART MOVES program	1330
Ferlo, Jim	Discussion - Bill No. 1483 - Wishing April Wierzbowski and other peer leaders success with the SMART MOVES program	1331
Ferlo, Jim	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater re- novations, \$200,000 (REMARKS) Wednesday, October 3, 1990	1348

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater re- novations, \$200,000.00	1353
Ferlo, Jim	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater re- novations, \$200,000.00	1353
Ferlo, Jim	Discussion - pay raise for State Leglistlators, City pay raises and Caliguiri Statue	1357
Ferlo, Jim	Discussion - Pittsburgh Penguins deal and the Melody Tent site	1358
Ferlo, Jim	Discussion - a copy of legislation concerning the private sector be sent to that particul- ar person or organization	1359
Ferlo, Jim	Discussion - Bill No. 1556 - Declaring October 22, 1990 to be Robert Leathers Design Day in the City	1364
Ferlo, Jim	Discussion - Bill No. 1556 - Declaring October 22, 1990 to be Robert Leathers Design Day in the City	1365
Ferlo, Jim	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000 in connection with the City's Solid Waste Management Program	1381
Ferlo, Jim	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000.00 in connection with the City's Solid Waste Management Program	1383
Ferlo, Jim	Discussion - Bill No. 1435 - Lease Forbes Street Associates on 3rd Floor, 1st Ward, for the sum of \$1.00	1387
Ferlo, Jim	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1391
Ferlo, Jim	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1391

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 1605 - Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1398
Ferlo, Jim	Discussion - Bill No. 1605 - Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1399
Ferlo, Jim	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1407
Ferlo, Jim	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Ferlo, Jim	Discussion - Bill No. 1478 - Agreement Court Reporter in connection with the taking of testimony at Civil Service Commission and Appeals Board, \$7,000.00	1409
Ferlo, Jim	Discussion - Bill No. 1475 - Agreement URA and Homewood-Brushton Revitalization and Development Corporation, \$100,000.00 (REMARKS) Wednesday, October 17, 1990	1412
Ferlo, Jim	Discussion - Bill No. 1644 - Proclaiming Tuesday, October 30, 1990 as Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield Caring Program for Children Day in the City	1423
Ferlo, Jim	Discussion - Bill No. 1644 - Proclaiming Tuesday, October 30, 1990 as Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield Caring Program for Children Day in the City	1424
Ferlo, Jim	Discussion - Bill No. 1527 - Cooperation Agreement - Housing Authority of the City, Community and Social Services Programs, \$1,560,000.00	1438
Ferlo, Jim	Discussion - Bill No. 1527 - Cooperation Agreement - Housing Authority of the City, Community and Social Services Programs, \$1,560,000.00	1438
Ferlo, Jim	Discussion - Bill No. 1527 - Cooperation Agreement - Housing Authority of the City, Community and Social Services Programs, \$1,560,000.00	1438

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 1529 - Cooperation Agreement - URA of Pittsburgh to undertake streetscape improvements to Fifth Area Square Area, \$600,000.00 (REMARKS) Wednesday, October 24, 1990	1439
Ferlo, Jim	Discussion - thanking all volunteers and community organizations for their help in the First Halloween Parade in Lawrenceville	1448
Ferlo, Jim	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1460
Ferlo, Jim	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1466
Ferlo, Jim	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1468
Ferlo, Jim	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1468
Ferlo, Jim	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct (REMARKS) Wednesday, October 31, 1990	1469
Ferlo, Jim	Discussion - Cable Communications indirect cost and other matters regarding the franchise fee	1482
Ferlo, Jim	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1488
Ferlo, Jim	Discussion - any Councilmember can make an amendment to the budget even if that group did not speak in front of Council	1500
Ferlo, Jim	Discussion - requesting a report from Police Department regarding the effectiveness of drug and prostitution arrests	1500
Ferlo, Jim	Discussion - clarification on whether narcotic agents work on Sunday	1501

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - requesting a report for Police regarding arrest records of drugs and prostitution in the Butler Street area	1502
Ferlo, Jim	Discussion - the issue of the war on drugs should be debated	1502
Ferlo, Jim	Discussion - setting up a tour so that Council can see the drug dealers dealing	1505
Ferlo, Jim	Discussion - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1514
Ferlo, Jim	Discussion - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1514
Ferlo, Jim	Discussion - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1515
Ferlo, Jim	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1524
Ferlo, Jim	Discussion - Bill No. 362 - Historic Site Section 513, Allegheny Commons Parks, 22nd Ward	1527
Ferlo, Jim	Discussion - Bill No. 1728 - Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1536
Ferlo, Jim	Discussion - Bill No. 1728 - Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1536
Ferlo, Jim	Discussion - Bill No. 1728 - Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1537
Ferlo, Jim	Discussion - Bill No. 1729 - Proclaiming Wednesday, November 28, 1990 as Community Savings Association Day in the City	1538
Ferlo, Jim	Discussion - Bill No. 1729 - Proclaiming Wednesday, November 28, 1990 as Community Savings Association Day in the City	1539
Ferlo, Jim	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena	1548

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena (REMARKS) Wednesday, November 14, 1990	1549
Ferlo, Jim	Discussion - Bill No. 1679 - Ordinance Title One - Administrative, Article XI - Personnel, Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1565
Ferlo, Jim	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District (REMARKS) Wednesday, November 14, 1990	1567
Ferlo, Jim	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	1571
Ferlo, Jim	Discussion - it's easier to know what job positions are being changed in personnel if Council has their names	1574
Ferlo, Jim	Discussion - meeting with the Mayor regarding changes in personnel	1574
Ferlo, Jim	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1586
Ferlo, Jim	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1590
Ferlo, Jim	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1592

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1593
Ferlo, Jim	Discussion - Bill No. 1839 - Declaring December 7, 1990 to be Operation Care: Pittsburgh Day in the City	1600
Ferlo, Jim	Discussion - Bill No. 1839 - Declaring December 7, 1990 to be Operation Care: Pittsburgh Day in the City	1601
Ferlo, Jim	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1631
Ferlo, Jim	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception (REMARKS) Wednesday, December 5, 1990	1638
Ferlo, Jim	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1641
Ferlo, Jim	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1642
Ferlo, Jim	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1642
Ferlo, Jim	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1643
Ferlo, Jim	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645
Ferlo, Jim	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1648
Ferlo, Jim	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1648
Ferlo, Jim	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1650
Ferlo, Jim	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1652
Ferlo, Jim	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1652
Ferlo, Jim	Discussion - Bill No. 1889 - Acknowledging through this acclamation its sincere appreciation and support of the efforts of the SVA	1657
Ferlo, Jim	Discussion - Bill No. 1768 - Warrant in favor of Consolidated Rail Corporation, \$8,142,15	1663
Ferlo, Jim	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1673
Ferlo, Jim	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Ferlo, Jim	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Ferlo, Jim	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ferlo, Jim	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1682
Ferlo, Jim	Discussion - Bill No. 1875 - Establishing a schedule of fees and charges in connection with the Dept. of Parks and Recreations's Swimming Pools Program Repealing No. 987/1987 (REMARKS) Wednesday, December 19, 1990	1703
Ferlo, Jim	Discussion - Bill No. 1763 - Cooperation Agreement with URA, the County of Allegheny and Public Parking Authority for development of CSX, 1st Ward	1706
Ferlo, Jim	Discussion - Bill No. 1896 - lease agreement 100 Grant Street between the City of Pittsburgh Landlord, and the County of Allegheny Tenant	1710
Ferlo, Jim	Discussion - Stating Jake Milliones did a good job with the 1991 Budget	1711
Ferlo, Jim	Discussion - wishing the Mayor a happy birthday	1712
Ferraro, Mr.	Acceptance - Bill No. 617 - Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	489
Ferreira, Ms.	Acceptance - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620
Finizio, Mr.	Acceptance - Bill No. 1602 - Declaring Friday November 2, 1990 as Eastside Day	1396
Fleischel, Mr.	Acceptance - Bill No. 1488 - Proclaiming Saturday, October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1338
Fortson, Ms.	Acceptance - Bill No. 686 - Recognizing the important contributions which Pat and Carrie Brunett have made to the lives of school children in Bloomfield and Garfield communities	591
Fortunato, Ms.	Acceptance - Bill No. 688 - Congratulating Elder-Ado, Inc. for its commendable efforts on behalf of our older citizens	594
Fox, Mr.	Acceptance - Bill No. 1326 - honoring South-western Pennsylvania Regional Planning Commission	1199

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Fox, Mr.	Acceptance - Bill No. 1326 - honoring Southwestern Pennsylvania Regional Planning Commission	1199
Freeman, Sgt.	Acceptance - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	562
Friedman, Mr.	Acceptance - Bill No. 1837 - Recognizing the Western Pennsylvania Police Athletic League	1598
Frye, Ms.	Acceptance - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1630
Fuqua, Mr.	Acceptance - Bill No. 577 - Commending ST.A.R. (Students Against Racisim) on their commitment to combatting bigotry	452
Gaetano, Lou	Acceptance - Bill No. 87 - Commending those who helped in Hurricane Hugo Clean-up	57
Gardner, Mr.	Acceptance - Bill No. 581 - Proclaiming the week of April 1 through April 7, 1990 as Aids Awareness Week in the City	461
Gaughan, Mr.	Acceptance - Bill No. 969 - Declaring the week of July 1 through July 7, 1990 as "Crime Prevention Week" in the City	823
Gerhold, Mr.	Acceptance - Bill No. 438 - Commending Arlene Stromberg for her dedication to the Squirrel Hill Urban Coalition and the City	295
Gillespie, Mr.	Acceptance - Bill No. 437 - Showing gratitude to the Knights of Equity, Court No. 9, Daughters of Erin	294
Gillispie, Mr.	Acceptance - Bill No. 1642 - Commending the members of the Iron Workers Local Union No. 3 and celebrating their 1990 Annual Anniversary Banquet	1422
Giovanni, Mr.	Acceptance - Bill No. 577 - Commending ST.A.R. (Students Against Racisim) on their commitment to combatting bigotry	451
Glavin, Mr.	Acceptance - Bill No. 661 - Proclaiming April 28, 1990 as Workers Memorial Day in recognition of workers killed, injured and disabled on the job	560
Gloniger, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	459
Gmitter, Ms.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	458

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Goff, Mr.	Acceptance - Bill No. 185 - Declaring March 4, 1990, as Bowl for Kids Day in the City	105
Gorman, Ms.	Acceptance - Bill No. 632 - Proclaiming the week of April 22 through April 28, 1990 as Victims' Rights Week	529
Gray, Ms.	Acceptance - Bill No. 346 - Recognizing Pittsburgh Black Nurses in action for commitment to qualify health care for all persons	222
Gray, Ms.	Acceptance - Bill No. 803 - Celebrating the Mount Washington Community Branch of the Carnegie Library	683
Grey, Ms.	Acceptance - Bill No. 969 - Declaring the week of July 1 through July 7, 1990 as "Crime Prevention Week" in the City	824
Griffin, Ms.	Acceptance - Bill No. 1420 - urging all organizations to join the Health Education Center	1282
Groce, Mother	Acceptance - Bill No. 967 - Commending Mother Bernice Groce for her dedication to the lives of others	820
Haller, Dan	Acceptance - Bill No. 293 - Supporting Neighborhood Legal Services Association opposition to the funding cut-off efforts	166
Haller, Dan	Discussion - Stating that he has the money for Neighborhood Legal Services	166
Haller, Dan	Discussion - Stating that they did receive \$10,000.00 towards the support project for Neighborhood Legal Services	167
Hankey, Mr.	Acceptance - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1630
Harper, Ms.	Acceptance - Bill No. 615 - Recognizing the achievements of NASA astronaut Lt. Colonel Charles F. Bolden, Jr.	487
Harper, Ms.	Discussion - Bill No. 1554 - Saluting "Grand Marshall" in the Afro-American Heritage Parade Association, Inc.	1364
Harris Franco	Acceptance - Bill No. 375 - Commending Franco Harris for his successful football career in Pittsburgh - Council for the honor of "Franco Harris Week" in the City	250
Harris, Ms.	Acceptance - Bill Nos. 829 and 830 - Supporting the Civil Rights Act of 1990 and supporting The Racial Justice Act	729

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Hayllar, Ben	Acceptance - Bill No. 1890 - Recognizing the Dept. of Finance and the Pittsburgh Community Reinvestment Group for their collective efforts which led to the City receiving the National League of Cities' 1990 Technology Achievements Award in Finance for its Bank Rating Reinvestment Program	1659
Heinlien, Mr.	Acceptance - Bill No. 1642 - Commending the members of the Iron Workers Local Union No. 3 and celebrating their 1990 Annual Anniversary Banquet	1422
Helper, Mr.	Acceptance - Bill No. 476 - Designating March 17, 1990 as Lawrenceville Boys and Girls Club Day in the City	340
Henry, Mr.	Acceptance - Bill No. 347 - Commending James Franklin Henry for unconditional dedication to the African American community	222
Hepner, Robert	Acceptance - Bill No. 1355 - recognizing the National Athletes	1224
Hevermann, Mr.	Discussion - Bill No. 721 - Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to commitment	623
Hill, Dr.	Acceptance - Bill No. 508 - Proclaiming Tuesday, March 20, 1990, as Dr. Jack Hill Day in the City	376
Hoffman, Mr.	Acceptance - Bill No. 1354 - Declaring Wednesday, October 3, 1990 as National Health Care Action Day in the City	1222
Hornack, Mr.	Acceptance - Bill Nos. 829 and 830 - Supporting the Civil Rights Act of 1990 and supporting The Racial Justice Act	730
Howard, Mr.	Discussion - Thanking Council for inviting them to play the National Anthem	248
Irwin, Mr.	Acceptance - Bill No. 185 - Declaring March 4, 1990 as Bowl for Kids Day in the City	104
Isler, Ms.	Acceptance - Bill No. 1106 - Urging the President and the Congress of U.S. to enact the Act for Better Child Care Services	957
Jacobs, Mrs.	Acceptance - Bill No. 1604 - Proclaiming October 26, 1990 as Joan Rivers Day in the City	1398
Jacoby, Mr.	Acceptance - Bill No. 1053 - Congratulating Canevin Crusaders Softball Team on their brilliant regular and post season play	892

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Jakoski, Mr.	Acceptance - Bill No. 664 - Congratulating Chester Jakoski for his long time dedication to the ideals of his ethic culture and heritage	564
Jaworsky, Reverend	Acceptance - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	826
Jaworsky, Reverend	Acceptance - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	826
Jessup, Ms.	Acceptance - Bill No. 803 - Celebrating the Mount Washington Community Branch of the Carnegie Library	683
Johnson, Mr.	Acceptance - Bill No. 380 - Recognizing the Afro American Music Institute keeping the African American heritage alive	255
Jones, Mr.	Acceptance - Bill No. 658 - Congratulating the congregation of the First Hungarian Reformed Church on their Centennial Anniversary	558
Jones, Mr.	Acceptance - Bill No. 1603 - Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1397
Jones, Mr.	Acceptance - Bill No. 1603 - Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1397
Jones, Ms.	Acceptance - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1226
Joyce, Lt.	Acceptance - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	562
Kennedy, Chief	Acceptance - Bill No. 1384 - Proclaiming the week of September 16-22, 1990 as Emergency Medical Services Week in the City	1247
Kinsmore, Dr.	Acceptance - Bill No. 1842 - Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1606
Knoll, Ms.	Giving speech honoring Gene Ricciardi before swearing him in	6
Kohnman, Mr.	Acceptance - Recognizing the Members of the Pittsburgh Flying Disc Society	1579
Krauss, Justin	Acceptance - Bill No. 880 - Congratulating Justin, David, Amy and Shelby on their victory and wishes them much success in the upcoming national marble tournament	791

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Kurtysh, Mr.	Acceptance - Bill No. 614 - Calling upon the President of United States and the Secretary of State to urge the Soviet government to permit direct flights from the Soviet Union to Isreal	486
Kurtz, Ms.	Acceptance - Bill No. 1052 - Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	891
Kuzmanko, Mr.	Acceptance - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620
Kyshakebych, Dr.	Acceptance - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	827
LaVallee, Mr.	Acceptance - Bill No. 1644 - Proclaiming Tuesday, October 30, 1990 as Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield Caring Program for Children Day in the City	1424
Lako, Mr.	Acceptance - Bill No. 663 - Proclaiming Tuesday April 24, 1990 as Slovak Day in the City	563
Lane, Mr.	Acceptance - Bill No. 614 - Calling upon the President of United States and the Secretary of State to urge the Soviet government to permit direct flights from the Soviet Union to Isreal	486
Lang, Officer	Acceptance - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	562
Laquartra, Mr.	Discussion - Bill No. 1144 - Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1001
Laskovich, Tracy	Discussion - Bill No. 1689 - Congratulating the winners in the "Don't Get Hooked on Drugs" contest	1518
LeBarton, Ms.	Acceptance - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620
Lease, Mr.	Acceptance - Bill No. 881 - Saluting Walter Lease for his continued efforts that make the Allegheny County Marble Tournament successful	791

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Lee, Ms.	Acceptance - Bill No. 509 - Congratulating Nancy H. Lee for commitment to the field of social welfare and contributions to the community and the University of Pittsburgh	378
Lillie, Dr.	Acceptance - Bill No. 383 - Commending Dr. Vernell A. Lille for her contributions to the City and the Afro American community	258
Loman, Dr.	Acceptance - Bill No. 853 - Commending the Mayor's Commission on Families for organizing a task force to inform young people that the choices they make will follow them years to come	772
Lomax, Ms.	Acceptance - Bill No. 1142 - African American Labor Center selected Pittsburgh as a study site	998
Lorenson, Dr.	Acceptance - Bill No. 221 - Declaring February 14th and 15th as NATIONAL COLLEGE FAIR DAYS	149
Love, Mr.	Acceptance - Bill No. 1386 - Informing World Trade Center Association, Inc. of its desire to have a comprehensive world trade center	1250
Lowery, Mr.	Acceptance - Bill No. 1643 - Paying tribute to the founders of the Guardians of Greater Pittsburgh	1423
Macahone, Mr.	Acceptance - Bill No. 476 - Designating March 17, 1990 as Lawrenceville Boys and Girls Club Day in the City	341
Machado, Ms.	Acceptance - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620
Maddoff, Michelle	Discussion - tokens for vending machines	1241
Madoff, Micelle	Discussion - wanting a copy of the crime report sent to Glenn Cannon from New York comparing crime rate to Pittsburgh	525
Madoff, Michelle	Taking the Oath of Office	5
Madoff, Michelle	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	15
Madoff, Michelle	Discussion - Bill No. 35 - Urging Ms. Smith to expand <u>The South Pittsburgh Reporter</u> to District 2	24
Madoff, Michelle	Discussion - Concerns about not being informed of the new appointment to building codes	28

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
<i>Madoff, Michelle</i>	<i>Discussion - Urging Council not to wait on an Ethic's Bill, hold a post-agenda meeting dicussing their concerns</i>	28
<i>Madoff, Michelle</i>	<i>Discussion - Urging Gene Ricciardi to hold a postagenda meeting for Ethics and Rules</i>	30
<i>Madoff, Michelle</i>	<i>Discussion - Request that Ben Hayllar and the person who handles the dollar energy fund be invited to the post agenda meeting on January 17, 1990</i>	33
<i>Madoff, Michelle</i>	<i>Discussion - Stating why she will support the appointment of Mary Conturo as City Solicitor Department of Law</i>	41
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 17 - NeighborFair Pitts -burgh, Inc., Neighborhoods for Living Center, \$15,000.00 - (REMARKS) Wednesday January 10, 1990</i>	46
<i>Madoff, Michelle</i>	<i>Discussion - Requesting the Dom Cimino, Director of Bureau of Building Inspection come in front of Council</i>	47
<i>Madoff, Michelle</i>	<i>Discussion - Requesting a post agenda or hearing between Council, Adiministration and ad hoc group regarding Tax Reform</i>	48
<i>Madoff, Michelle</i>	<i>Discussion - Requesting a post agenda meeting with Dom Cimino regarding Demolition</i>	52
<i>Madoff, Michelle</i>	<i>Discussion - Stating that H. Yale Gutnick, recipient of Make-A-Wish Foundation Read and adopted, is not present</i>	56
<i>Madoff, Michelle</i>	<i>Discussion - Thanking Lou Gaetano and Sam Tiglio for their efforts in Hurricane Hugo Clean-up</i>	58
<i>Madoff, Michelle</i>	<i>Discussion - Stating why she wants Bill No. 41 and Bill No. 42 to be held</i>	90
<i>Madoff, Michelle</i>	<i>Discussion - Stating that she wants to work with the Housing Authority</i>	91
<i>Madoff, Michelle</i>	<i>Discussion - Asking to make another motion on Bill No. 41 and Bill No. 42</i>	93
<i>Madoff, Michelle</i>	<i>Discussion - Offering an amendment to Bill No. 41 and Bill No. 42</i>	95
<i>Madoff, Michelle</i>	<i>Discussion - Agreeing that the Mayor's appointee's to the Advisory Committee are outstanding</i>	139
<i>Madoff, Michelle</i>	<i>Discussion - Stating that the Mayor needs to revamp all the authorities</i>	139
<i>Madoff, Michelle</i>	<i>Discussion - Stating that she does not understand how Dan Pietragallo is receiving \$256,000 in one lump sum</i>	140

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Stating that it is imperative to have the Administration brief Council on the City's Pension Plan	141
Madoff, Michelle	Discussion - Suggesting that the briefing on various pension plans be on Cable	142
Madoff, Michelle	Discussion - Stating that she wants to introduce legislation on various pension plans in City Government	142
Madoff, Michelle	Discussion - Suggesting that the briefing on various pension plans be in the form of a post agenda and the media be invited	143
Madoff, Michelle	Discussion - Suggestion that the briefing on various pension plans be held at a post agenda before the general information is gathered	143
Madoff, Michelle	Discussion - Asking Dan Haller if there are any matching funds locally for Neighborhood Legal Services	166
Madoff, Michelle	Discussion - Asking Dan Haller if he has enough money to get him through the interim for Neighborhood Legal Services	166
Madoff, Michelle	Discussion - Wanting to know if the \$10,000 from Council is enough to stay in business Neighborhood Legal Services	167
Madoff, Michelle	Discussion - Supporting Bill No. 89 - Supplementing Rule X of the Rules of Council	182
Madoff, Michelle	Discussion - Stating that Bill No. 89 - Supplementing Rule X of the Rules of Council, needs to be passed because of it's importance to Council	184
Madoff, Michelle	Discussion - Stating that she resents Council being grandstanded in regards to Bill No. 89 - Supplementing Rule X of the Rules of Council	185
Madoff, Michelle	Discussion - Stating that Council is voting on legislation not whether Gene Ricciardi can hire a political consultant	191
Madoff, Michelle	Discussion - Bill Nos. 148 and 149 - application Dept. of Community Affairs on the GNC property	205
Madoff, Michelle	Discussion - Stating the need for post agenda for unfunded pensions, worker's comp. and Water Dept. collections	210
Madoff, Michelle	Discussion - Wants to know what is still outstanding in the Water Dept. collections	212

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Stating the need for post agenda on unfunded pension, worker's comp. and Water Dept. collections	212
Madoff, Michelle	Discussion - Stating the need to put unfunded pension, worker's comp. and Water Dept. collections on the agenda	212
Madoff, Michelle	Discussion - Stating that unfunded pensions, worker's comp. and Water Dept. collections are just as important as all the other Council issues	212
Madoff, Michelle	Discussion - Stating that she did make a motion for a post agenda on unfunded pension worker's comp. and Water Dept. collections	213
Madoff, Michelle	Discussion - Stating that 30 days is too long to wait for a post agenda meeting on unfunded pension, worker's comp. and Water Dept. collections	213
Madoff, Michelle	Discussion - Bill No. 91 - Lease Rental Debt, \$14,000,000.00 Equipment Lease with City of Pittsburgh Equipment Leasing Authority (REMARKS) Wednesday, February 14, 1990	214
Madoff, Michelle	Discussion - Stating that she is voting for legislation and stop Krugerrands	226
Madoff, Michelle	Discussion - Bill No. 328 - transfer \$150,000 from Code Acct. 1926 to Code Acct. 1927, Dept. of Water, stating she will not waive Suspend Rule 8, until Council is briefed	231
Madoff, Michelle	Discussion - Bill No. 46 - Warrant in favor of American Rent-A-Ride, Inc., stating she is voting against it	233
Madoff, Michelle	Discussion - Stating she is supporting future legislation in relation to Bill No. 163 - Agreement with collection agencies for professional services, \$25,000.00	237
Madoff, Michelle	Discussion - wanting to know if the administration is planning to name a new Water Director	241
Madoff, Michelle	Discussion - Encouraging Council's lobbyist Chuck Kohling, to introduce an amendment to the Authority's act, making it mandatory that anyone leaving government would also leave their appointed position on an authority	241

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Stating there could be a problem if the person appointed to the authority can't serve out there term	244
Madoff, Michelle	Discussion - Stating the importance of a high-tech Center to the Airport in relation to MAGLEV Task Force	261
Madoff, Michelle	Discussion - Encouraging Council to support Bill No. 89 - Supplementing Rule X of the Rules of Council	265
Madoff, Michelle	Discussion - Stating that she will not vote on Bill No. 248 - Amending No. 1060	265
Madoff, Michelle	Discussion - Three items, how a Councilmember will cover expenses in a legal matter, metal detector for safety and bullet-proof glass at the entrance of Mayor's office	285
Madoff, Michelle	Discussion - Stating Mike Perry and Jack Wagner should order bullet-proof glass so that there does not have to be legislation presented	286
Madoff, Michelle	Discussion - Stating that there should be a metal detector in Council	287
Madoff, Michelle	Discussion - Wanting to know the steps to take in securing the premises	288
Madoff, Michelle	Discussion - Stating that if they would support the research grant it will be a big lose for the City	290
Madoff, Michelle	Discussion - Stating that there is an alternative to the tax exempt status	291
Madoff, Michelle	Discussion - No. 300 - Warrant in favor of The Simplex Group for \$45,000.00	305
Madoff, Michelle	Discussion - Bill No. 328 - transferring of \$150,000.00 from Code Acct. 1926 to Code Acct. 1927, Water Agencies	306
Madoff, Michelle	Discussion - Stating there is extenuating circumstances where Council can waive rules concerning taking the dollar figures out of contracts	331
Madoff, Michelle	Discussion - Stating to take out the dollar figure on contracts	331
Madoff, Michelle	Discussion - Stating to take out the dollar figure on contracts	331
Madoff, Michelle	Discussion - Stating that Council needs to have a "not to exceed" number for contracts	332
Madoff, Michelle	Discussion - Stating it will be a crime if Council does not set a "not to exceed" number for contracts	333

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
<i>Madoff, Michelle</i>	<i>Discussion - Stating that Council is letting \$5 million worth of contracts slip by</i>	<i>333</i>
<i>Madoff, Michelle</i>	<i>Discussion - Stating that Council's responsibility is to think about human suffering in the community (St. Clair Village)</i>	<i>335</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 367 - license Peoples Natural Gas Company, gas line across property as Frick Park, 14th Ward, for \$7,500.00</i>	<i>350</i>
<i>Madoff, Michelle</i>	<i>Discussion - Stating Bill No. 367 - license Peoples Natural Gas Company, gas line across property as Frick Park, 14th Ward, for \$7,500.00</i>	<i>350</i>
<i>Madoff, Michelle</i>	<i>Discussion - Asking to bring Director Dawn Botsford's remarks forward on Bill No. 229 - Furnishing of motorized fire equipment Dept. of General Services, \$660,000.00 Amending No. 500/89</i>	<i>358</i>
<i>Madoff, Michelle</i>	<i>Discussion - Wanting to know why the police aren't involved in the security at the A-Plus MiniMarket in Bloomfield</i>	<i>367</i>
<i>Madoff, Michelle</i>	<i>Discussion - Stating that she would like all the Authorities to send Council a list of all their employees who are on worker's comp</i>	<i>369</i>
<i>Madoff, Michelle</i>	<i>Discussion - Stating that she was one of the first organizers of the first Earth Day</i>	<i>375</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 315 - Supplementing the Pittsburgh Code, Title Six-Conduct, Article V-Discrimination, sexual orientation</i>	<i>386</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 396 - Mayor and Chief Administrative Officer, \$10,000.00 various contractors with specialized skills in connection with City's Solid Waste Management Program</i>	<i>388</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 358 - Transfer \$175,000 From Code Account 1154-1, Rental of Motorized Equipment to Code Account 59, Carnegie Library of Pittsburgh</i>	<i>392</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000</i>	<i>398</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000</i>	<i>399</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000</i>	<i>402</i>

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Suggesting legislation for employees doing heavy work with the City take a pulmonary function tests	405
Madoff, Michelle	Discussion - Bill No. 551 - Supporting the creation of a major world class cycling event	409
Madoff, Michelle	Discussion - Bill No. 442 - Consultant for Professional Engineering/Architectural Services in connection with the Design of Clemente Park River Safety Center, \$20,000.00 (REMARKS) Wednesday March 21, 1990	439
Madoff, Michelle	Discussion - wanting a list of the Stenotypist who records the minutes	443
Madoff, Michelle	Discussion - talking about the Authorities employee's list	444
Madoff, Michelle	Discussion - the problems at the Westgate Housing Development	445
Madoff, Michelle	Discussion - Bill No. 581 - Proclaiming the week of April 1 through April 7, 1990 as Aids Awareness Week in the City	459
Madoff, Michelle	Discussion - Bill No. 582 - Recognizing Molly Rush as a true hero for onslaught of nuclearism	463
Madoff, Michelle	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	468
Madoff, Michelle	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	469
Madoff, Michelle	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	469
Madoff, Michelle	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	471
Madoff, Michelle	Discussion - Briefing on the water problem in the Mayor's Conference Room	480
Madoff, Michelle	Discussion - Stating that City expenses needs to be addressed	481
Madoff, Michelle	Discussion - the Grand Prix issue	482
Madoff, Michelle	Discussion - Bill No. 539 - Pittsburgh Parking Authority, property known as Schenely Plaza Parking Lot (REMARKS) Wednesday April 4, 1990	504
Madoff, Michelle	Discussion - Bill No. 539 - Pittsburgh Parking Authority, property known as Schenely Plaza Parking Lot	517
Madoff, Michelle	Discussion - apologizing to the Dept. of Water and stating that Pittsburgh is being compared to New York in regards to crime	524

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - wanting to know if not hiring enough minorities in EMS is an important issue	526
Madoff, Michelle	Discussion - Bill No. 635 - Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	533
Madoff, Michelle	Discussion - Bill No. 635 - Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	534
Madoff, Michelle	Discussion - wanting a commitment for the Westgate Broadhead Manor	546
Madoff, Michelle	Discussion - stating that the \$75,000.00 that Council allocated for Westgate Broadhead Manor isn't enough	547
Madoff, Michelle	Discussion - stating that URA cannot release \$75,000 for Westgate Broadhead Manor because it is bond money	548
Madoff, Michelle	Discussion - stating that Jake Milliones and Jack Wagner need to meet with the Administration concerning Westgate Broadhead Manor	549
Madoff, Michelle	Discussion - stating that she waived Rule 8 on the Streets Run Road legislation	551
Madoff, Michelle	Discussion - stating that every Councilmember should read the letter concerning Streets Run Road issue	552
Madoff, Michelle	Discussion - Bill No. 661 - Proclaiming April 28, 1990 as Workers Memorial Day in recognition of workers killed, injured and disabled on the job	560
Madoff, Michelle	Discussion - Bill No. 624 - Transfer \$50,000 from Code Account No. 46 Judgements and Interest on Judgements to Code Account 1017 Office of the Mayor	574
Madoff, Michelle	Discussion - Bill No. 624 - Transfer \$50,000 from Code Account No. 46 Judgements and Interest on Judgements to Code Account 1017 Office of the Mayor	578
Madoff, Michelle	Discussion - requesting a post agenda for the West End-Elliott's Community Center	584
Madoff, Michelle	Discussion - Bill No. 618 - Cooperation Agreement - The Carnegie for construction of Relocation of North Shore Drive Stadium Parking Lot #1, \$160,000.00 Amending No. 50/1987	602

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 618 - Cooperation Agreement - The Carnegie for construction of Relocation of North Shore Drive Stadium Parking Lot #1, \$160,000.00 Amending No. 50/1987 (REMARKS) Wednesday 25, 1990	602
Madoff, Michelle	Discussion - Security in Department of City Council	616
Madoff, Michelle	Discussion - Security in the Department of City Council	617
Madoff, Michelle	Discussion - regarding American Flag and State Flag being put on the City-County Building	618
Madoff, Michelle	Discussion - Bill No. 624 - Supporting the creation of the model Multiracial, Multi-ethnic and Multicultural middle school for the Pittsburgh School District	624
Madoff, Michelle	Discussion - Bill No. 624 - Supporting the creation of the model Multiracial, Multi-ethnic and Multicultural middle school for the Pittsburgh School District	625
Madoff, Michelle	Discussion - Bill No. 361 - An Ordinance Title One "Administrative, Article VII, "Procedures One "Asministrative, Article VII, "Procedures Chapter 161 "Contracts"	631
Madoff, Michelle	Discussion - Asking if the appointments of Gene Ricciardi and Deborah Miskovich need Council approval	638
Madoff, Michelle	Discussion - Stating that all persons being appointed during any Administration would sign a waiver that the Mayor has the right to remove them	639
Madoff, Michelle	Discussion - Stating anyone being interviewed for an appointment will be asked to sign a waiver	639
Madoff, Michelle	Discussion - promotional development at the airport	641
Madoff, Michelle	Discussion - promotional development at the airport	642
Madoff, Michelle	Discussion - concerning BOMA, Chambers, Golden Triangle, and Jacque Kahn together for promotional development at the airport	643
Madoff, Michelle	Discussion - PennDOT should be invited to the meeting concerning promotional development at the airport	643
Madoff, Michelle	Discussion - status on the architect on the promotional development at the airport	645

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - all Councilmembers to attend training center in Butler	646
Madoff, Michelle	Discussion - Bill Nos. 727 and 730 appointments of Deborah Miskovich and Linda Brown	666
Madoff, Michelle	Discussion - Bill Nos. 727 and 730 appointments of Deborah Miskovich and Linda Brown	667
Madoff, Michelle	Discussion - Bill No. 668 - Repairs to Retaining Wall No. 12 of the Bloomfield Bridge, \$17,142.01 Amending 1020/1988 (REMARKS) Wednesday, May 9, 1990	672
Madoff, Michelle	Discussion - post agenda's with community, information never received about issues, contract rewards, Water Department and Governor's election	677
Madoff, Michelle	Discussion - autothefts and Lojack	678
Madoff, Michelle	Discussion - Bill No. 803 - Celebrating the Mount Washington Community Branch of the Carnegie Library	682
Madoff, Michelle	Discussion - Bill No. 803 - Celebrating the Mount Washington Community Branch of the Carnegie Library	683
Madoff, Michelle	Discussion - Bill Nos. 728 and 729 - appointing John A. Zottola to the City Planning Commission and Board of Adjustment (REMARKS) Wednesday, May 16, 1990	690
Madoff, Michelle	Discussion - Bill No. 694 - Title One - Administrative Article VII - Procedures Chapter 161 - Contracts, by amending Section 161.05	707
Madoff, Michelle	Discussion - Bill No. 701 - Fixing the number of officers and employees of the City due to recent Police Arbitration Award	713
Madoff, Michelle	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	721
Madoff, Michelle	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	721
Madoff, Michelle	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	723
Madoff, Michelle	Discussion - Bill No. 806 - appointing Dawn Botsford as Director of the Department of Water, effective June 4, 1990 (REMARKS) Wednesday, May 23, 1990	737

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 760 - Warrant in favor of Famous Telephone Supply, \$2,996.42	749
Madoff, Michelle	Discussion - asking for a post agenda on the problems that the Airport will cause the City	762
Madoff, Michelle	Discussion - the need to have a hearing on Airport Development	763
Madoff, Michelle	Discussion - Zamagias and Rauch and the Water-front	763
Madoff, Michelle	Discussion - public should feel free to come in front of Council with various projects	764
Madoff, Michelle	Discussion - history of the delays and obstacles that developers have been confronted with in communities	764
Madoff, Michelle	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	768
Madoff, Michelle	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	769
Madoff, Michelle	Discussion - stating she has sent a letter to Glenn Cannon	783
Madoff, Michelle	Discussion - Police Department promotions	784
Madoff, Michelle	Discussion - Commisioners should be invited to the meeting between Council and Administration on tax reform happenings for refunds to senior citizens	785
Madoff, Michelle	Discussion - Post agenda meeting for the chunks of concrete falling from the Greenfield bridge	786
Madoff, Michelle	Discussion - Post agenda meeting for the chunks of concrete falling from the Greenfield bridge	787
Madoff, Michelle	Discussion - post agenda with Stanley Marshall, Airport marketing and Administration concerning Airport Development	811
Madoff, Michelle	Discussion - introduction of legislation for Ethics	815
Madoff, Michelle	Discussion - investment of money to the City for lighting bridges	815
Madoff, Michelle	Discussion - investments of City public dollars to the lighting of various streets and alleyways	817
Madoff, Michelle	Discussion - allocating monies for hunger in the budget	818
Madoff, Michelle	Discussion - Bill No. 840 - Warrant in favor of Mellon Bank, Corporate Trust Administration, \$17,107.32	842

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 788 - Agreement with Westside Community Development Corporation for professional services relative to Commercial Service Center in Broadhead Manor Public Housing, \$15,000.00	846
Madoff, Michelle	Discussion - Bill No. 972 - Informing Council of the re-appointment of Moira Harrington as City Magistrate for a term to Expire January, 1993	848
Madoff, Michelle	Discussion - voting no on the Schenley Plaza Project and lighting the bridges	850
Madoff, Michelle	Discussion - bill for \$179,000 for activated carbon during the latest spill	864
Madoff, Michelle	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	866
Madoff, Michelle	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	867
Madoff, Michelle	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	870
Madoff, Michelle	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	871
Madoff, Michelle	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	871
Madoff, Michelle	Discussion - Bill No. 860 - Consultant for preschematic and site planning architectural services, in connection with the new Public Safety Building, \$100,000.00	876
Madoff, Michelle	Discussion - construction to No. 6 Station in Squirrel Hill	878
Madoff, Michelle	Discussion - construction to No. 6 Station in Squirrel Hill	878
Madoff, Michelle	Discussion - Bill No. 1050 - Declaring July 1st to July 7th as "A Week of Solidarity Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	889

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 1052 - Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	891
Madoff, Michelle	Discussion - Bill No. 951 - Prohibiting the City from investing monies pension funds stocks, securities or any other obligations of any tobacco company (REMARKS) Wednesday, June 27, 1990	896
Madoff, Michelle	Discussion - Bill No. 951 - Prohibiting the City from investing monies pension funds stocks, securities or any other obligations of any tobacco company	900
Madoff, Michelle	Discussion - permitted to vote on CDBG monies Bills	916
Madoff, Michelle	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	919
Madoff, Michelle	Discussion - Bill No. 885 - Supplemental Agreement with Consultant for Design Services in connection with the Reconstruction of Arlington Avenue Amending No. 203/1989	922
Madoff, Michelle	Discussion - lighting of bridges and requesting clarification on pre-emption from the Law Department	922
Madoff, Michelle	Discussion - stating that Council never received information from different Directors before voting on legislation	928
Madoff, Michelle	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	931
Madoff, Michelle	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	931
Madoff, Michelle	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	938
Madoff, Michelle	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000	939

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - meetings with Mr. Turner to set up general budgetary sessions	949
Madoff, Michelle	Discussion - Keeping Larry Kuzmanko as President of the Pittsburgh Marathon	952
Madoff, Michelle	Discussion - showing support of Glenn Cannon as Director for Public Safety	954
Madoff, Michelle	Discussion - Bill No. 1108 - Recognizing July 22-28, 1990 as "Child Support Awareness Week" in the City	959
Madoff, Michelle	Discussion - Bill No. 1108 - Recognizing July 22-28, 1990 as "Child Support Awareness Week" in the City	959
Madoff, Michelle	Discussion - Bill No. 1108 - Recognizing July 22-28, 1990 as "Child Support Awareness Week" in the City	960
Madoff, Michelle	Discussion - Bill No. 1029 - Transfer 125,000 From Code Account 1977, Utilities to Code Account 1927, Refunds, Dept. of Water	967
Madoff, Michelle	Discussion - Bill No. 1033 - Warrant in favor of American Rent A Ride, Inc.	968
Madoff, Michelle	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	974
Madoff, Michelle	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	977
Madoff, Michelle	Discussion - Bill No. 1023 - Agreement with Borough of Greentree to permit to drain sanitary sewage into the City	978
Madoff, Michelle	Discussion - Bill No. 985 and 986 - Contracts Materials and supplies for several City Departments, \$10,000.00 and Maintenance of personal property in the custody of various departments of the City	981
Madoff, Michelle	Discussion - Bill No. 985 and 986 - Contracts Materials and supplies for several City Departments property in the custody of various departments of the City	981
Madoff, Michelle	Discussion - Bill No. 985 and 986 - Contracts Materials and supplies for several City Departments, \$10,000.00 and Maintenance of personal property in the custody of various departments of the City	982
Madoff, Michelle	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights-of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	985

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	986
Madoff, Michelle	Discussion - The \$75,000 left from the contract the City has to lease the sixth floor of the City County Building	990
Madoff, Michelle	Discussion - The \$75,000 left from the contract the City has to lease the sixth floor of the City County Building	990
Madoff, Michelle	Discussion - The \$75,000 left from the contract the City has to lease the sixth floor of the City County Building	990
Madoff, Michelle	Discussion - problem with wrecked autos and garbage dumped	992
Madoff, Michelle	Discussion - that the particular property responsible for wrecked autos and garbage dumped be sited individually be taken care of by Council	993
Madoff, Michelle	Discussion - Bill No. 1144 - Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1001
Madoff, Michelle	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1021
Madoff, Michelle	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1021
Madoff, Michelle	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1024
Madoff, Michelle	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1025
Madoff, Michelle	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1027
Madoff, Michelle	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1028
Madoff, Michelle	Discussion - Bill No. 1059 - Warrant in favor of Diane Clark Hoffman for \$90,000.00 (REMARKS) Wednesday, July 25, 1990	1055
Madoff, Michelle	Discussion - Bill No. 1095 - Act No. 171 of 1984	1067
Madoff, Michelle	Discussion - Bill Nos. 1227 - 1230 appointments of various people to various commissions	1072
Madoff, Michelle	Discussion - Bill Nos. 1227 - 1230 appointments of various people to various commissions	1073
Madoff, Michelle	Discussion - regarding appointments to the Personnel Appeals Board	1073

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
<i>Madoff, Michelle</i>	<i>Discussion - regarding appointments to the Personnel Appeals Board</i>	<i>1074</i>
<i>Madoff, Michelle</i>	<i>Discussion - regarding appointments to the Personnel Appeals Board</i>	<i>1075</i>
<i>Madoff, Michelle</i>	<i>Discussion - regarding appointments to the Personnel Appeals Board</i>	<i>1075</i>
<i>Madoff, Michelle</i>	<i>Discussion - regarding appointments to the Personnel Appeals Board</i>	<i>1076</i>
<i>Madoff, Michelle</i>	<i>Discussion - regarding appointments to the Personnel Appeals Board</i>	<i>1077</i>
<i>Madoff, Michelle</i>	<i>Discussion - regarding appointments to the Personnel Appeals Board</i>	<i>1078</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines</i>	<i>1093</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines</i>	<i>1095</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines</i>	<i>1096</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission</i>	<i>1100</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission</i>	<i>1101</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission</i>	<i>1102</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 1056 - Agreement with consultant to conduct a study of fire protection services within the City, No. 731/1989 (REMARKS) Wednesday August 1, 1990</i>	<i>1131</i>
<i>Madoff, Michelle</i>	<i>Discussion - Join Senators and Congressman to investigate the biggest recipients in the Country</i>	<i>1145</i>
<i>Madoff, Michelle</i>	<i>Discussion - public hearing on the revised smoking vending machine ordinance</i>	<i>1146</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 1326 - honoring Southwestern Pennsylvania Regional Planning Commission</i>	<i>1198</i>
<i>Madoff, Michelle</i>	<i>Discussion - Bill No. 1326 - honoring Southwestern Pennsylvania Regional Planning Commission</i>	<i>1199</i>

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill Nos. 1312 and 1313 - Cooperation Agreement for transfer of \$3,564.49 by URA fund Community Development Corporations and Modification No. 1 Herr's Island Proposal Redevelopment Area Plan	1205
Madoff, Michelle	Discussion - Bill Nos. 1312 and 1313 - Cooperation Agreement for transfer of \$3,564.49 by URA fund Community Development Corporations and Modification No. 1 Herr's Island Proposal Redevelopment Area Plan	1205
Madoff, Michelle	Discussion - Bill No. 1245 - Agreement with The George "Dew" Brown Summer League, \$1,500	1208
Madoff, Michelle	Discussion - Bill No. 1240 - Warrant in favor of Pamela Green, \$4,000.00	1210
Madoff, Michelle	Discussion - supply of vegetables for the Zoo and supply of fish for the Aviary	1212
Madoff, Michelle	Discussion - welcoming Gene Ricciardi and his new wife	1217
Madoff, Michelle	Discussion - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1225
Madoff, Michelle	Discussion - Bill No. 1224 appointment of Ralph Proctor to Human Relations Commission term effective immediately and to expire July, 1991	1229
Madoff, Michelle	Discussion - phone calls from phony businesses concerning contest winners	1239
Madoff, Michelle	Discussion - Bill No. 1386 - Informing World Trade Center Association, Inc. of its desire to have a comprehensive world trade center	1249
Madoff, Michelle	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1258
Madoff, Michelle	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Madoff, Michelle	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Madoff, Michelle	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Madoff, Michelle	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1260

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill Nos. 1291 - 1293 grants to Bell Telephone Company	1264
Madoff, Michelle	Discussion - Bill No. 1281 - Contract with Pennsylvania Energy Office (PEO)	1274
Madoff, Michelle	Discussion - City Planning to benefit Mount Washington Chamber of Commerce and Sheraden Kiwanis Club	1276
Madoff, Michelle	Discussion - Concerns of citizens regarding the Mayor's Complaint Center	1278
Madoff, Michelle	Discussion - Bill No. 1425 - Supporting Allegheny County in it's endeavor to secure immediate funding for the Airport Busway	1285
Madoff, Michelle	Discussion - requesting Administration let Council know what they decided to do about the tokens for vending machines	1293
Madoff, Michelle	Discussion - Bill No. 1361 - Pittsburgh Public Parking Authority, renovation and repairs various parking lots	1297
Madoff, Michelle	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1318
Madoff, Michelle	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1323
Madoff, Michelle	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1325
Madoff, Michelle	Discussion - refreshing to see a greater co-operation between the Administration and Council	1326
Madoff, Michelle	Discussion - Bill No. 1486 - Declaring the week of October 7-13, 1990 as Fire Prevention Week in the City	1335
Madoff, Michelle	Discussion - Bill No. 1476 - From Various Code Account to Code Account 1971, Premium Pay	1342
Madoff, Michelle	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater renovations, \$200,000.00	1353

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater renovations, \$200,000.00	1354
Madoff, Michelle	Discussion - cigarette vending machines and contracts with Parking Authority	1355
Madoff, Michelle	Discussion - Ethics Bill and Chrysler's Corporation making 20% of cars in Canada	1356
Madoff, Michelle	Discussion - Bill No. 1557 - Commending the National Council of Senior Citizens	1366
Madoff, Michelle	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000.00 in connection with the City's Solid Waste Management Program	1382
Madoff, Michelle	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000 in connection with the City's Solid Waste Management Program	1383
Madoff, Michelle	Discussion - Bill No. 1435 - Lease Forbes Street Associates on 3rd Floor, 1st Ward, for the sum of \$1.00	1387
Madoff, Michelle	Discussion - Bill No. 1435 - Lease Forbes Street Associates on 3rd Floor, 1st Ward, for the sum of \$1.00	1387
Madoff, Michelle	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1390
Madoff, Michelle	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1390
Madoff, Michelle	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1391
Madoff, Michelle	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1391
Madoff, Michelle	Discussion - Philadelphia getting monies from the suburbanites and New York took a major step to ban cigarette vending machines	1393

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1407
Madoff, Michelle	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Madoff, Michelle	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Madoff, Michelle	Discussion - Bill No. 1478 - Agreement Court Reporter in connection with the taking of testimony at Civil Service Commission and Appeals Board, \$7,000.00	1409
Madoff, Michelle	Discussion - Bill No. 1478 - Agreement Court Reporter in connection with the taking of testimony at Civil Service Commission and Appeals Board, \$7,000.00	1409
Madoff, Michelle	Discussion - the Water Department audit of all uncollected bills	1417
Madoff, Michelle	Discussion - Bill No. 1661 - Congratulating the efforts of all the contributors in the establishment of the Open Door	1451
Madoff, Michelle	Discussion - Bill No. 1661 - Congratulating the efforts of all the contributors in the establishment of the Open Door	1452
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1458

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1460
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1461
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1462
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1462
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1464
Madoff, Michelle	Discussion - stating that she just received her second subpoena in the Benn Woods Case	1466
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1467
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1467
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1468
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1482
Madoff, Michelle	Discussion - Bill No. 1585 - Warrant Mellon Bank Corporate Trust Admin. for \$32,591.91	1483
Madoff, Michelle	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1488
Madoff, Michelle	Discussion - numerous organizations have asked for monies	1499

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - if the tax hearing was held in the evening would the media be there	1500
Madoff, Michelle	Discussion - setting up a tour so that Council can see the drug dealers dealing	1504
Madoff, Michelle	Discussion - Bill No. 1686 - Declaring November 14, 1990 as National Retiree Volunteer Day in the City	1512
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Madoff, Michelle	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Madoff, Michelle	Discussion - Bill No. 1726 - Declaring November 27, 1990 as "Dr. Barbara Shore Day" in the City	1534
Madoff, Michelle	Discussion - Bill No. 1727 - Proclaiming November 24, 1990 as "Mildred Wade Day" in the City	1535
Madoff, Michelle	Discussion - Bill No. 1729 - Proclaiming Wednesday, November 28, 1990 as Community Savings Association Day in the City	1539
Madoff, Michelle	Discussion - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1541
Madoff, Michelle	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena	1548
Madoff, Michelle	Discussion - Bill No. 1679 - Ordinance Title One - Administrative, Article XI Personnel, Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1564
Madoff, Michelle	Discussion - Bill No. 1679 - Ordinance Title One - Administrative, Article XI Personnel, Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1564
Madoff, Michelle	Discussion - Bill No. 1679 - Ordinance Title One - Administrative, Article XI Personnel, Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1565

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	1570
Madoff, Michelle	Discussion - Recognizing the Members of the Pittsburgh Flying Disc Society	1579
Madoff, Michelle	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other animals and Fowl	1585
Madoff, Michelle	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1591
Madoff, Michelle	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1592
Madoff, Michelle	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1640
Madoff, Michelle	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1640
Madoff, Michelle	Discussion - Bill No. 1433 - An Ordinance Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1640
Madoff, Michelle	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1643
Madoff, Michelle	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645
Madoff, Michelle	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1647
Madoff, Michelle	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1647
Madoff, Michelle	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1647
Madoff, Michelle	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1649
Madoff, Michelle	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1650
Madoff, Michelle	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Madoff, Michelle	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Madoff, Michelle	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1675
Madoff, Michelle	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1680
Madoff, Michelle	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Madoff, Michelle	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1682
Madoff, Michelle	Discussion - Agreement between the County and the City with reference to the Public Safety Building and the Jail	1687
Madoff, Michelle	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1691
Madoff, Michelle	Discussion - Bill No. 1763 - Cooperation Agreement with URA, the County of Allegheny and Public Parking Authority for development of CSX, 1st Ward	1706
Madoff, Michelle	Discussion - thanking members of Council for treating her as a colleague with respect	1711
Mancuso, Mr.	Acceptance - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Mancuso, Mr.	Acceptance - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1225
Martin, Kathy	Acceptance - Bill No. 185 - Declaring March 4, 1990, as Bowl for Kids Day in the City	104
Mascio, Mr.	Acceptance - Bill No. 1216 - Commending the past and present Bloomfield Morra Champions	1034
Masire, Mrs.	Acceptance - Bill No. 1141 - Commending First Lady Masire and the Charity Fund for their determination	996
Masloff, Sophie	Congratulating the newly elected Councilmember	9
Masloff, Sophie	Discussion - Bill No. 1144 - Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1002
Masloff, Sophie	Discussion - giving her 1991 Budget Address	1507
Maximus, Bishop	Acceptance - Bill No. 553 - Congratulating the Greek community on the occasion of the 169th commemoration of Hellenic People's	413
Mayo, Ms	Acceptance - Bill No. 1050 - Declaring July 1st to July 7th as "A Week of Solidarity with Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	889
Mayo, Ms.	Acceptance - Bill No. 1050 - Declaring July 1st to July 7th as "A Week of Solidarity with Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	888

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
McBroom, Ms.	Acceptance - Bill No. 475 - Commending Keisha McBroom for the brave heroic efforts in saving her brothers and sisters lives, Friday, February 2, 1990	338
McCants, Ms.	Acceptance - Bill No. 720 - Proclaiming Wednesday May 16, 1990 as "Dolores Sanchez Day" in the City	622
McClendon, Ms.	Acceptance - Bill Nos. 829 and 830 - Supporting the Civil Rights Act of 1990 and supporting The Racial Justice Act	730
McClendon, Ms.	Acceptance - Bill No. 1387 - Proclaiming the week of September 23-30, 1990 as "World Summit For Children Week"	1251
McGee, Ms.	Acceptance - Bill No. 552 - Recognizing the crisis in the nursing homes and calling all area State Representatives and Senators to support the Bills in the State Legislature	412
McGill, Mr.	Acceptance - Bill No. 1728 - Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1537
McMullen, Ms.	Acceptance - Bill No. 1603 - Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1397
McNamara, Lt.	Acceptance - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	561
McNamara, Lt.	Acceptance - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	562
Miller-Roulon, Mr.	Acceptance - Bill No. 631 - Welcoming Steven Jobs to the City and wishes the business much success	528
Millinski, Mr.	Acceptance - Bill No. 804 - Extending commendations to the Allegheny Middle School Basketball Team on winning the City Championship	685
Milliones, Jake	Taking the Oath of Office	6
Milliones, Jake	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	16
Milliones, Jake	Discussion - Stating why he does not want to recommit Bill No. 41 and Bill No. 42	93
Milliones, Jake	Discussion - Stating that he agrees with the letter being sent to the Housing Authority to adopt the same as the City's Policy on severance pay	100

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Milliones, Jake	Discussion - Asking Mr. Manford Sales to step forward to be honored a Scoutmaster of the Year	107
Milliones, Jake	Discussion - Stating the it's nice to see Council honor Pittsburgh Public Schools	168
Milliones, Jake	Discussion - Urging Council not to support Bill No. 89 - Supplementing Rule X of the Rules of Council	183
Milliones, Jake	Discussion - Wants a specific time and date on when Bill No. 89 - Supplementing Rule X of the Rules of Council will be on the agenda	186
Milliones, Jake	Discussion - Bill No. 160 - Warrant in favor of David J. Pierson and Lori Ann for \$50,000	188
Milliones, Jake	Discussion - Stating that it's each Council-member's prerogative to spend their \$70,000 as they wish	191
Milliones, Jake	Discussion - Bill No. 350 - Giving honor to Nelson Mandela for his life and leadership	226
Milliones, Jake	Discussion - Asking if it would be appropriate to discuss the appointments of Joan Ivey and Ralph Alster to the Historic Review Commission (Bill Nos. 385 and 386)	304
Milliones, Jake	Discussion - Agreeing with Dan Cohen to have a post agenda on taking the dollar figures out of contracts	332
Milliones, Jake	Discussion - Bill No. 509 - Congratulating Nancy H. Lee for commitment to the field of social welfare and contributions to the community and the University of Pittsburgh	377
Milliones, Jake	Discussion - Stating the Nancy Lee headed the fund raising for the University of Pittsburgh, \$250,000.00	378
Milliones, Jake	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	468
Milliones, Jake	Discussion - Bill No. 361 - An Ordinance Title One "Administrative, Article VII, "Procedures Chapter 161 "Contracts" (REMARKS) Wednesday May 2, 1990	631
Milliones, Jake	Discussion - Bill No. 727 - Appointment of Deborah Miskovich City Magistrate, term effective immediately and to expire January, 1991 (REMARKS) Wednesday, May 9, 1990	656

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Milliones, Jake	Discussion - Bill Nos. 727 and 730 appointments of Deborah MisKovich and Linda Brown	666
Milliones, Jake	Discussion - Post agenda meeting for the chunks of concrete falling from the Greenfield bridge	787
Milliones, Jake	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	866
Milliones, Jake	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	867
Milliones, Jake	Discussion - Bill No. 1050 - Declaring July 1st to July 7th as "A Week of Solidarity with Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	889
Milliones, Jake	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	939
Milliones, Jake	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1099
Milliones, Jake	Discussion - Bill No. 1245 - Agreement with The George "Dew" Brown Summer League, \$1,500	1208
Milliones, Jake	Discussion - Bill No. 1383 - Offering its ovation to the Pittsburgh Powe family	1245
Milliones, Jake	Discussion - Bill No. 1527 - Cooperation Agreement - Housing Authority of the City, Community and Social Services Programs, \$1,560,000.00	1438
Milliones, Jake	Discussion - Bill No. 1527 - Cooperation Agreement - Housing Authority of the City, Community and Social Services Programs, \$1,560,000.00	1438
Milliones, Jake	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1466
Milliones, Jake	Discussion - stating that the budget schedule has already been set	1499
Milliones, Jake	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	1569

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Milliones, Jake	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645
Milliones, Jake	Discussion - Bill No. 1890 - Recognizing the Dept. of Finance and the Pittsburgh Community Reinvestment Group for their collective efforts which led to the City receiving the National League of Cities' 1990 Technology Achievements Award in Finance for its Bank Rating Reinvestment Program	1658
Milliones, Jake	Discussion - Bill No. 1890 - Recognizing the Dept. of Finance and the Pittsburgh Community Reinvestment Group for their collective efforts which led to the City receiving the National League of Cities' 1990 Technology Achievements Award in Finance for its Bank Rating Reinvestment Program	1659
Milliones, Jake	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Milliones, Jake	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681
Milliones, Jake	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681
Milliones, Jake	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Milliones, Jake	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Milliones, Jake	Discussion - 1991 Budget	1710
Milton, Cathy	Acceptance - Bill No. 219 - Recognizing the contributions of Cathy Milton to Black History Month	148
Mineyko, Mr.	Acceptnace - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Moorer, Mr.	Acceptance - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1631
Morabito, Ms.	Acceptance - Bill No. 1053 - Congratulating Canevin Crusaders Softball Team on their brilliant regular and post season play	893
Mowad, Mr.	Acceptance - Bill No. 1267 - Declaring Sunday, August 19, 1990 as "Jazz Day" in the City	1088
Neal, Mr.	Acceptance - Bill No. 1838 - Recognizing the Champions Association and its capable Executive Director, William R. Neal, Jr.	1599
Nickolas, Mr.	Acceptance - Bill No. 294 - Declaring Wednesday, February 21, 1990, John A. Brashear High School Vocational Education Day in the City	168
Nickolas, Mr.	Discussion - Inviting Council to visit Brashear on Brashear High School Vocational Education Day	169
O'Leary, Sister	Acceptance - Bill No. 478 - Welcoming the All Ireland Champion Dancers and Musicians to Pittsburgh	342
O'Neill, Mr.	Acceptance - Bill No. 476 - Supporting the striking employees of Greyhound Bus Lines	338
Ommogrosso, Ms.	Acceptance - Bill No. 689 - Recognizing Gemma Ommogrosso and David Christian for "Century of Living", Citiparks Century Club	595
Oster, Mr.	Discussion - Bill No. 779 - Declaring the week of May 12 to May through 19, 1990 as "South Side Pedestrian Safety Week".	649
Palmer, Ms.	Acceptance - Bill No. 1108 - Recognizing July 22-28, 1990 as "Child Support Awareness Week" in the City	959
Papadakos, Mr.	Acceptance - Bill No. 553 - Congratulating the Greek community on the occasion of the 169th commemoration of Hellenic People's	414
Parker, Mr.	Acceptance - Bill No. 579 - Proclaiming the month of April as "Fair Housing Month" to commemorate the 22nd Anniversary of National Fair Housing Legislation	454
Parliamentarian	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Passavant, Dr.	Acceptance - Bill No. 1839 - Declaring December 7, 1990 to be Operation Care: Pittsburgh Day in the City	1601
Perry, Michael	Organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	1
Perry, Michael	Presentation of Certificates of Election	2
Perry, Michael	Introduction of The Honorable Lawrence W. Kaplan, Judge, Court of Common Pleas	5
Perry, Michael	Oath of Office given to Duane A. Darkins by The Honorable Cynthia Baldwin, Judge, Court of Common Pleas January 1, 1990	5
Perry, Michael	Introduction of The Honorable Kate Ford Elliot, Judge, Pennsylvania Superior Court	5
Perry, Michael	Introduction of The Honorable James J. Hanley, District Magistrate of the 15th and 31st Wards	5
Perry, Michael	Introduction of The Honorable Justin A. Johnson, Judge, Pennsylvania Superior Court	5
Perry, Michael	Oath of Office given to Bernard J. Regan by The Honorable Thomas P. O'Malley, Sr., Mayor of Castle Shannon	6
Perry, Michael	Introduction of The Honorable Catherin Baker Knoll, Pennsylvania State Treasurer	6
Perry, Michael	Introduction of The Honorable Walter R. Little, Judge, Court of Common Pleas	6
Perry, Michael	Recognizing the new Council as being sworn in	7
Perry, Michael	Nomination and Election of the President of Council	7
Perry, Michael	Introduction of The Honorable W. Terrence O'Brien, Judge, Court of Common Pleas	7
Perry, Michael	Stating that Jack Wagner has been elected as President of Council	8
Perry, Michael	Stating that Jack Wagner has been elected as President of Council, unanimously	8
Perry, Michael	Introduction of The Honorable W. Terrence O'Brien, Judge, Court of Common Pleas	8
Perry, Michael	Presenting Jack Wagner as President of Council	8
Perry, Michael	Discussion - Stating that the letter concerning security in Council was sent to the admin- istration two months ago	616
Perry, Michael	Discussion - Security in the Department of City Council	617

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Pickett, Mr.	Acceptance - Bill No. 1018 - Supporting the Allegheny Trails Council on its endeavors to foster a productive atmosphere for the youth of Allegheny County	855
Pipkin, Mr.	Acceptance - Bill No. 624 - Supporting the creation of the model Multiracial, Multi-ethnic and Multicultural middle school for the Pittsburgh School District	625
Pipkin, Mr.	Acceptance - Bill No. 624 - Supporting the creation of the model Multiracial, Multi-ethnic and Multicultural middle school for the Pittsburgh School District	626
Player	Acceptance - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1605
Poloway, Monsignor	Acceptance - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	826
Portis, Ms.	Acceptance - Bill No. 295 - Recognizing Ms. Connie Portis for her major contributions to the City's African American Community	170
Powell, Ms.	Acceptance - Bill No. 1219 - Commending the Homewood-Brushton YMCA Job Plus Program	1037
President	Acceptance - Bill No. 1891 - Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1660
Prokopezuk, Lori	Discussion - Bill No. 1689 - Congratulating the winners in the "Don't Get Hooked on Drugs" contest	1517
Rabinowitz, Ms.	Acceptance - Bill No. 349 - Commending JUST HARVEST for their advocacy work for National School Breakfast Program to Pittsburgh	224
Radzanowski, Ms.	Acceptance - Bill No. 1265 - Saluting the Polish Falcons of America, Nest 118 on their 80th Anniversary	1087
Ramonosky, Dr.	Acceptance - Bill No. 1559 - Proclaiming Tuesday, October 16, 1990 as Life Flight Day in the City	1368
Read, Mr.	Acceptance - Bill No. 633 - Supporting the week of April 15th as National Minority Cancer Awareness Week in the City	531
Reddy, Mr.	Acceptance - Bill No. 879 - Recognizing the Credit Union as a unique and distinct financial institution	790

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Reed, Ms	Acceptance - Bill No. 579 - Proclaiming the month of April as "Fair Housing Month" to commemorate the 22nd Anniversary of National Fair Housing Legislation	454
Regan, Bernard	Discussion - Stating that Council did vote on the South Side Skating Rink	406
Regan, Bernard	Nominating Jack Wagner for President of Council	7
Regan, Bernard	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	17
Regan, Bernard	Discussion - Stating he was surprised that Michelle Madoff didn't mention the grilling Mary Conturo took in front of Council	44
Regan, Bernard	Discussion - Stating why he will support the appointment of Mary Conturo as City Solicitor Department of Law	44
Regan, Bernard	Discussion - Introducing Bob Caldwell, head basketball coach for Allegheny High School	53
Regan, Bernard	Discussion - Stating that Daniel Pietragallo's money should be going to the poor people	96
Regan, Bernard	Discussion - Stating that Council should stick together and send a message to the Housing Authority about Mr. Pietragallo's severance pay	99
Regan, Bernard	Discussion - Stating that Council has no intention of taking money off of the Housing Authority	100
Regan, Bernard	Discussion - Inviting Billy Conn and his son to step forward to receive Bill No. 220 - Declaring Tuesday, February 6, 1990 as Billy Conn Day in the City	148
Regan, Bernard	Discussion - Congratulating Bill Conn, for the former Light Heavy Weight Champion of the World	149
Regan, Bernard	Discussion - Stating that he agrees with Mr. Darkins and Mr. Milliones on Bill No. 89 Supplementing Rule X of the Rules of Council	185
Regan, Bernard	Discussion - Stating that Council needs to send the business community a message that they are behind them 100 percent	205
Regan, Bernard	Discussion - Introducing Patricia Fisher, Principal, Martin Luther King Elementary School of the North Side	247

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Introducing students of Martin Luther King Elementary School of the North Side to sing the Pledge of Allegiance	247
Regan, Bernard	Discussion - Introducing Mr. Trombone and Harold Betters to play the National Anthem	248
Regan, Bernard	Discussion - Thanking Mr. Howard and Choral group from Martin Luther King Elementary School for coming in front of Council	248
Regan, Bernard	Discussion - Stating that he really enjoyed the children singing the Pledge of Allegiance	248
Regan, Bernard	Discussion - Introducing Franco Harris, Dan Rooney, Dan Edwards and Sam Davis to receive Bill No. 375 - Commending Franco Harris for his successful football career in Pittsburgh	249
Regan, Bernard	Discussion - Stating that it is "Franco Harris Week" in the City	250
Regan, Bernard	Discussion - Thanking Franco Harris for coming in front of Council to receive Bill No. 375 Commending Franco Harris for his successful football career in Pittsburgh	251
Regan, Bernard	Discussion - Thanking Dan Rooney, Sam Davis and Dwight White for coming in front of Council to honor Franco Harris	252
Regan, Bernard	Discussion - Introducing Harold Betters to receive Bill No. 377 - Commending Harold Betters for positive influence to the City of Pittsburgh and to the field of music	252
Regan, Bernard	Discussion - Introducing Councilman Darkins to receive Bill No. 378 - Saluting Councilman Duane Adrian Darkins for his unconditional devotion to the City and the African American community	253
Regan, Bernard	Discussion - Stating the need for the premises to be secure	288
Regan, Bernard	Discussion - Stating he would like Jim Ferlo to collect Tom Tucker bottles and bring them to the North Side	335
Regan, Bernard	Discussion - Bill No. 315 - Supplementing the Pittsburgh Code, Title Six - Conduct, Article V - Discrimination, sexual orientation	382

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 315 -Supplementing the Pittsburgh Code, Title Six-Conduct, Article V-Discrimination, sexual orientation	387
Regan, Bernard	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	400
Regan, Bernard	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	402
Regan, Bernard	Discussion - Bill No. 551 - Supporting the creation of a major world class cycling event	410
Regan, Bernard	Discussion - Bill No. 553 - Congratulating the Greek community on the occassion of the 169th commemoration of Hellenic People's	413
Regan, Bernard	Discussion - Bill No. 553 - Congratulating the Greek community on the occassion of the 169th commemoration of Hellenic People's	413
Regan, Bernard	Discussion - Bill No. 553 - Congratulating the Greek community on the occassion of the 169th commemoration of Hellenic People's	415
Regan, Bernard	Discussion - Bill No. 449 - Authorization to Allegheny General Hospital construct a five-story, 120-bed care facility of HEMLOCK STREET and JAMES STREET, 22nd Ward	431
Regan, Bernard	Discussion - Bill No. 442 - Consultant for Professional Engineering/Architectural Services in connection with the Design of Clemente Park River Safety Center, \$20,000.00	442
Regan, Bernard	Discussion - Streets Run Stream in the Hays District, 31st Ward	447
Regan, Bernard	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	467
Regan, Bernard	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	472
Regan, Bernard	Discussion - Stating that the Pittsburgh Marathon needs to be addressed	481
Regan, Bernard	Discussion - Bill No. 635 - Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	534
Regan, Bernard	Discussion - Bill No. 636 - Proclaiming Tuesday, April 17, 1990 as Bob Smizik Day in the City	535
Regan, Bernard	Discussion - stating that the Westgate Broadhead Manor needs immediate attention	549
Regan, Bernard	Discussion - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	560

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	561
Regan, Bernard	Discussion - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	562
Regan, Bernard	Discussion - Bill No. 663 - Proclaiming Tuesday April 24, 1990 as Slovak Day in the City	562
Regan, Bernard	Discussion - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	591
Regan, Bernard	Discussion - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	592
Regan, Bernard	Discussion - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	593
Regan, Bernard	Discussion - Security in Department of City Council	616
Regan, Bernard	Discussion - Security in the Department of City Council	617
Regan, Bernard	Discussion - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	619
Regan, Bernard	Discussion - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620
Regan, Bernard	Discussion - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	620
Regan, Bernard	Discussion - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	621
Regan, Bernard	Discussion - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	621
Regan, Bernard	Discussion - Bill No. 720 - Proclaiming Wednesday May 16, 1990 as "Dolores Sanchez Day" in the City	622

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 720 - Proclaiming Wednesday May 16, 1990 as "Dolores Sanchez Day" in the City	622
Regan, Bernard	Discussion - jobs and City residents in regards to the promotional development at the airport	645
Regan, Bernard	Discussion - Introducing Amy Ballinger, visiting former Councilwoman from Florida	683
Regan, Bernard	Discussion - Bill No. 804 - Extending commendations to the Allegheny Middle School Basketball Team on winning the City Championship	685
Regan, Bernard	Discussion - Bill No. 804 - Extending commendations to the Allegheny Middle School Basketball Team on winning the City Championship	685
Regan, Bernard	Discussion - Bill No. 701 - Fixing the number of officers and employees of the City due to recent Police Arbitration Award	713
Regan, Bernard	Discussion - seminar for the 1990 International Privatization Congress in Saskatoon, Canada	724
Regan, Bernard	Discussion - congratulating Mayer DeRoy for his appointment as Police Chief	726
Regan, Bernard	Discussion - whether or not the American Flag should be flying in front of the City County Building on Independence Day	749
Regan, Bernard	Discussion - history of the delays and obstacles that developers have been confronted with in communities	756
Regan, Bernard	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	766
Regan, Bernard	Discussion - wearing Northview Heights baseball cap to show his support for the war against drugs	783
Regan, Bernard	Discussion - investments of City public dollars to the lighting of various streets and alleyways	816
Regan, Bernard	Discussion - promoting the City as the greatest City in the world	817
Regan, Bernard	Discussion - there's only one Flag Day Parade in Allegheny County and that's in North Side	818
Regan, Bernard	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	867

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 860 - Consultant for preschematic and site planning architectural services, in connection with the new Public Safety Building, \$100,000.00	876
Regan, Bernard	Discussion - all Councilpeople take a tour of the police stations	880
Regan, Bernard	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	920
Regan, Bernard	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield/Garfield Corporation, the Bellefield Area Citizens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	931
Regan, Bernard	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	939
Regan, Bernard	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	940
Regan, Bernard	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	975
Regan, Bernard	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	978
Regan, Bernard	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800 Amending No. 427/1988	986
Regan, Bernard	Discussion - Bill No. 1143 - Congratulating Mayor Sophie Masloff the 1990 "Riverperson of the Year" urging citizens to participate in the bountiful rivers	999
Regan, Bernard	Discussion - Bill No. 1144 - Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1001
Regan, Bernard	Discussion - Bill No. 1144 - Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1001
Regan, Bernard	Discussion - Bill No. 1144 - Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1002
Regan, Bernard	Discussion - Bill No. 1145 - Recognizing the Dublin, Ireland Women's Division I Basketball Club	1002

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 1145 - Recognizing the Dublin, Ireland Women's Division I Basketball Club	1003
Regan, Bernard	Discussion - Bill No. 1145 - Recognizing the Dublin, Ireland Women's Division I Basketball Club	1003
Regan, Bernard	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1024
Regan, Bernard	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1027
Regan, Bernard	Discussion - Bill Nos. 1227 - 1230 appointments of various people to various commissions	1073
Regan, Bernard	Discussion - Bill No. 1263 - Proclaiming Tuesday, August 7, 1990 as "Stephanie Sloan Day" in the City	1084
Regan, Bernard	Discussion - Bill No. 1263 - Proclaiming Tuesday, August 7, 1990 as "Stephanie Sloan Day" in the City	1085
Regan, Bernard	Discussion - Bill No. 1264 - Proclaiming Tuesday, August 7, 1990 as "National Night Out" in the City	1085
Regan, Bernard	Discussion - Bill No. 1264 - Proclaiming Tuesday, August 7, 1990 as "National Night Out" in the City	1086
Regan, Bernard	Discussion - Bill No. 1264 - Proclaiming Tuesday, August 7, 1990 as "National Night Out" in the City	1086
Regan, Bernard	Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines	1094
Regan, Bernard	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1100
Regan, Bernard	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1101
Regan, Bernard	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1103
Regan, Bernard	Discussion - Bill No. 1384 - Proclaiming the week of September 16-22, 1990 as Emergency Medical Services Week in the City	1246
Regan, Bernard	Discussion - Bill No. 1384 - Proclaiming the week of September 16-22, 1990 as Emergency Medical Services Week in the City	1248

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill Nos. 1291 - 1293 grants to Bell Telephone Company	1265
Regan, Bernard	Discussion - supporting the Pittsburgh Pirates	1279
Regan, Bernard	Discussion - welcoming Councilman Ferlo's Brother to Pittsburgh	1279
Regan, Bernard	Discussion - Bill No. 1426 - Proclaiming Saturday, September 29, 1990 as "Manchester Reunited Association Day" in the City	1286
Regan, Bernard	Discussion - Bill No. 1426 - Proclaiming Saturday, September 29, 1990 as "Manchester Reunited Association Day" in the City	1287
Regan, Bernard	Discussion - Bill No. 1426 - Proclaiming Saturday, September 29, 1990 as "Manchester Reunited Association Day" in the City	1287
Regan, Bernard	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1318
Regan, Bernard	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1322
Regan, Bernard	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1325
Regan, Bernard	Discussion - congratulating the Pittsburgh Pirates for a job well done	1328
Regan, Bernard	Discussion - Bill No. 1332 - Proclaiming October 9, 1990 as Linda R. Bryant Day in the City	1332
Regan, Bernard	Discussion - Bill No. 1332 - Proclaiming October 9, 1990 as Linda R. Bryant Day in the City	1333
Regan, Bernard	Discussion - Bill No. 1332 - Proclaiming October 9, 1990 as Linda R. Bryant Day in the City	1333
Regan, Bernard	Discussion - Bill No. 1486 - Declaring the week of October 7-13, 1990 as Fire Prevention Week in the City	1333
Regan, Bernard	Discussion - Bill No. 1487 - Declaring the week of October 6-13, 1990 as Parents Without Partners Week in the City	1336
Regan, Bernard	Discussion - Bill No. 1487 - Declaring the week of October 6-13, 1990 as Parents Without Partners Week in the City	1336

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 1488 - Proclaiming Saturday , October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1338
Regan, Bernard	Discussion - Bill Nos. 1388 and 1390 - Designating trust fund for "Fulton Theater Renovations and Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater renovations, \$200,000.00	1354
Regan, Bernard	Discussion - introducing the movie about Pittsburgh	1361
Regan, Bernard	Discussion - Bill No. 1553 - Proclaiming this as "Hate to Leave Blues Day" in the City	1361
Regan, Bernard	Discussion - Bill No. 1559 - Proclaiming Tuesday, October 16, 1990 as Life Flight Day in the City	1367
Regan, Bernard	Discussion - Bill No. 1559 - Proclaiming Tuesday, October 16, 1990 as Life Flight Day in the City	1368
Regan, Bernard	Discussion - congratulating Jim Ferlo on the First Halloween Parade in Lawrenceville	1449
Regan, Bernard	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1469
Regan, Bernard	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1487
Regan, Bernard	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1488
Regan, Bernard	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1489
Regan, Bernard	Discussion - the Police force does one terrific job	1502
Regan, Bernard	Discussion - there are not enough Policemen on the force	1503
Regan, Bernard	Discussion - setting up a tour so that Council can see the drug dealers dealing	1504

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1515
Regan, Bernard	Discussion - Bill No. 1726 - Declaring November 27, 1990 as "Dr. Barbara Shore Day" in the City	1534
Regan, Bernard	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena	1548
Regan, Bernard	Discussion - Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	1570
Regan, Bernard	Discussion - requesting that all City flags fly at half mast until Sergeant James Blair is buried	1577
Regan, Bernard	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1585
Regan, Bernard	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1588
Regan, Bernard	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1590
Regan, Bernard	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1591
Regan, Bernard	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1591

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1591
Regan, Bernard	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1592
Regan, Bernard	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1593
Regan, Bernard	Discussion - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1601
Regan, Bernard	Discussion - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1602
Regan, Bernard	Discussion - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1603
Regan, Bernard	Discussion - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1603
Regan, Bernard	Discussion - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1603
Regan, Bernard	Discussion - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1604
Regan, Bernard	Discussion - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1604

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1605
Regan, Bernard	Discussion - Bill No. 1841 - Extending commendation to the Perry Commodores High School Football Team on winning the City League Championship	1605
Regan, Bernard	Discussion - Bill No. 1842 - Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1605
Regan, Bernard	Discussion - Bill No. 1842 - Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1606
Regan, Bernard	Discussion - Bill No. 1842 - Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1606
Regan, Bernard	Discussion - Bill No. 1842 - Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1607
Regan, Bernard	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1629
Regan, Bernard	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1630
Regan, Bernard	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1631
Regan, Bernard	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1631
Regan, Bernard	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1644
Regan, Bernard	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645
Regan, Bernard	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1645

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Regan, Bernard	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1647
Regan, Bernard	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1648
Regan, Bernard	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1651
Regan, Bernard	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1651
Regan, Bernard	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1653
Regan, Bernard	Discussion - Bill No. 1890 - Recognizing the Dept. of Finance and the Pittsburgh Community Reinvestment Group for their collective efforts which led to the City receiving the National League of Cities' 1990 Technology Achievements Award in Finance for its Bank Rating Reinvestment Program	1659
Regan, Bernard	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1674
Regan, Bernard	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Exception, \$10.00 and 20.00	1675
Regan, Bernard	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681
Regan, Bernard	Discussion - wishing all his colleagues a Merry Christmas and Happy New Year	1711

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Reicher, Ms.	Acceptance - Bill No. 1602 - Declaring Friday November 2, 1990 as Eastside Day	1396
Ricciardi, Gene	Taking the Oath of Office	7
Ricciardi, Gene	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	17
Ricciardi, Gene	Discussion - Wants to make Council appointments before he holds a post-agenda meeting	30
Ricciardi, Gene	Discussion - updating his Sub-Committee on Ethics and Rules	30
Ricciardi, Gene	Discussion - Stating why he will not vote for the appointment of Mary Conturo as City Solicitor Department of Law	39
Ricciardi, Gene	Discussion - Bill No. 688 - Congratulating Elder-Ado, Inc. for its commendable efforts on behalf of our older citizens	94
Ricciardi, Gene	Discussion - Bill No. 41 and Bill No. 42 will put the hungry against the homeless	97
Ricciardi, Gene	Discussion - Inviting Dr. Fred Lorenson and Kevin Altomari to receive Bill No. 221 DeClaring February 14th and 15th , 1990 as NATIONAL COLLEGE FAIR DAYS in the City	149
Ricciardi, Gene	Discussion - asking Jim Ferlo to recommit Bill No. 89 - Supplementing Rule X of the Rules of Council	183
Ricciardi, Gene	Discussion - Stating that Bill No. 173 - Warrant in favor of Public Strategies, Inc., \$1,000.00	190
Ricciardi, Gene	Discussion - Stating he is planning to hire Mark Zabierek as a political consultant	191
Ricciardi, Gene	Discussion - Stating that Bill No. 173 - warrant in favor of Public Strategies, Inc., \$1,000.00	191
Ricciardi, Gene	Discussion - Stating that he is very pleased with the Administration for figures for an assessment to each tax-free entity	290
Ricciardi, Gene	Discussion - Stating that Council should address the problems of absentee landlords	335
Ricciardi, Gene	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	398
Ricciardi, Gene	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	400
Ricciardi, Gene	Discussion - Stating that South Side Skating Rink is not receiving any money from the City	405

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill No. 554 - Congratulating the officers and members of Allegheny County League of Women Voters for 70 years	415
Ricciardi, Gene	Discussion - Bill No. 554 - Congratulating the officers and members of Allegheny County League of Women Voters for 70 years	415
Ricciardi, Gene	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	467
Ricciardi, Gene	Discussion - Bill No. 617 - Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	488
Ricciardi, Gene	Discussion - Bill No. 617 - Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	489
Ricciardi, Gene	Discussion - inviting his colleagues to attend post agenda meeting on Urban Planning Design	525
Ricciardi, Gene	Discussion - commending Michelle Madoff for rising the issue concerning Westgate Broadhead Manor	550
Ricciardi, Gene	Discussion - stating he is holding a post agenda meeting concerning re-opening of 30th Street	553
Ricciardi, Gene	Discussion - Bill No. 664 - Congratulating Chester Jakoski for his long time dedication to the ideals of his ethic culture and heritage	564
Ricciardi, Gene	Discussion - Bill No. 664 - Congratulating Chester Jakoski for his long time dedication to the ideals of his ethic culture and heritage	564
Ricciardi, Gene	Discussion - Bill No. 665 - Commending the efforts of the South Side Branch Library	565
Ricciardi, Gene	Discussion - Bill No. 665 - Commending the efforts of the South Side Branch Library	565
Ricciardi, Gene	Discussion - Bill No. 665 - Commending the efforts of the South Side Branch Library	566
Ricciardi, Gene	Discussion - Bill No. 665 - Commending the efforts of the South Side Branch Library	566
Ricciardi, Gene	Discussion - Bill No. 688 - Congratulating Elder-Ado, Inc. for its commendable efforts on behalf of our older citizens	593

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill No. 689 - Recognizing Gemma Ommogrosso and David Christian for "Century of Living", Citiparks Century Club	594
Ricciardi, Gene	Discussion - Bill No. 689 - Recognizing Gemma Ommogrosso and David Christian for "Century of Living", Citiparks Century Club	595
Ricciardi, Gene	Discussion - Bill No. 779 - Declaring the week of May 12 to May through 19, 1990 as "South Side Pedestrian Safety Week".	648
Ricciardi, Gene	Discussion - Bill No. 779 - Declaring the week of May 12 to May through 19, 1990 as "South Side Pedestrian Safety Week".	649
Ricciardi, Gene	Discussion - autothefts and Lojack	679
Ricciardi, Gene	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	766
Ricciardi, Gene	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	768
Ricciardi, Gene	Discussion - Bill No. 856 - Saluting Paint Your Heart out Pittsburgh	776
Ricciardi, Gene	Discussion - Bill No. 880 - Congratulating Justin, David, Amy and Shelby on their victory and wishes them much success in the upcoming national marble tournament	790
Ricciardi, Gene	Discussion - Bill No. 880 - Congratulating Justin, David, Amy and Shelby on their victory and wishes them much success in the upcoming national marble tournament	791
Ricciardi, Gene	Discussion - Bill No. 881 - Saluting Walter Lease for his continued efforts that make the Allegheny County Marble Tournament successful	791
Ricciardi, Gene	Discussion - Bill No. 881 - Saluting Walter Lease for his continued efforts that make the Allegheny County Marble Tournament successful	791
Ricciardi, Gene	Discussion - introduction of legislation for Ethics	814
Ricciardi, Gene	Discussion - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	825
Ricciardi, Gene	Discussion - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	825
Ricciardi, Gene	Discussion - Bill No. 970 - Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	826

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Mis- cellaneous Services, City Council	869
Ricciardi, Gene	Discussion - Bill No. 951 - Prohibiting the City from investing monies pension funds stocks, securities or any other obligations of any tobacco company (REMARKS) Wednesday, June 27, 1990	896
Ricciardi, Gene	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield/Gar- field Corporation, the Bellefield Area Cit- izens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	929
Ricciardi, Gene	Discussion - Bill No. 953 - Patrick Media Group, Inc., POA Company, Bloomfield/Gar- field Corporation, the Bellefield Area Cit- izens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	931
Ricciardi, Gene	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	970
Ricciardi, Gene	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	976
Ricciardi, Gene	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1024
Ricciardi, Gene	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1026
Ricciardi, Gene	Discussion - Bill No. 1223 - Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1041
Ricciardi, Gene	Discussion - Bill No. 1223 - Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1042
Ricciardi, Gene	Discussion - Bill No. 1223 - Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1042
Ricciardi, Gene	Discussion - Bill No. 1265 - Saluting the Polish Falcons of America, Nest 118 on their 80th Anniversary	1086

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill No. 1265 - Saluting the Polish Falcons of America, Nest 118 on their 80th Anniversary	1086
Ricciardi, Gene	Discussion - Bill No. 1265 - Saluting the Polish Falcons of America, Nest 118 on their 80th Anniversary	1087
Ricciardi, Gene	Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines	1095
Ricciardi, Gene	Discussion - Bill No. 1248 - Transfer 55,000 From Code Account 1063, Misc. Services, Dept. of Finance to the Property Tax Reduction Trust Fund	1167
Ricciardi, Gene	Discussion - Bill No. 1355 - recognizing the National Athletes	1223
Ricciardi, Gene	Discussion - Bill No. 1355 - recognizing the National Athletes	1223
Ricciardi, Gene	Discussion - Bill No. 1355 - recognizing the National Athletes	1223
Ricciardi, Gene	Discussion - Bill No. 1355 - recognizing the National Athletes	1224
Ricciardi, Gene	Discussion - Bill No. 1355 - recognizing the National Athletes	1224
Ricciardi, Gene	Discussion - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1224
Ricciardi, Gene	Discussion - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1225
Ricciardi, Gene	Discussion - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1226
Ricciardi, Gene	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1260
Ricciardi, Gene	Discussion - Capital Budget hearings will be held at the Brashear Association	1279
Ricciardi, Gene	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1318

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000 in connection with the City's Solid Waste Management Program	1382
Ricciardi, Gene	Discussion - stating that Councilmembers should not be associated with getting jobs because of their influential position	1463
Ricciardi, Gene	Discussion - Bill No. 1540 - Agreements Design all displays in winter at Pittsburgh Zoo, \$70,000.00	1494
Ricciardi, Gene	Discussion - stating that is was the Councilmembers responsiblity to make the organizations aware of the budget hearings	1499
Ricciardi, Gene	Discussion - looking at the priorities of the policemen	1503
Ricciardi, Gene	Discussion - the issue of the war on drugs should be debated	1503
Ricciardi, Gene	Discussion - setting up a tour so that Council can see the drug dealers dealing	1504
Ricciardi, Gene	Discussion - Bill No. 1689 - Congratulating the winners in the "Don't Get Hooked on Drugs" contest	1516
Ricciardi, Gene	Discussion - Bill No. 1689 - Congratulating the winners in the "Don't Get Hooked on Drugs" Contest	1517
Ricciardi, Gene	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1522
Ricciardi, Gene	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Ricciardi, Gene	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Ricciardi, Gene	Discussion - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1541
Ricciardi, Gene	Discussion - Bill No. 1671 - Warrant for Nino R. Barcellino, \$10,650.00	1563
Ricciardi, Gene	Discussion - supporting the positions and job descriptions of the changes in personnel not the actual names	1574

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Ricciardi, Gene	Discussion - stating that the names of the individual for job should not be revealed, regarding changes in personnel	1574
Ricciardi, Gene	Discussion - Bill No. 1754 - Congratulating the Pittsburgh Slovak Catholic Sokol on its 85th Anniversary	1580
Ricciardi, Gene	Discussion - Bill No. 1754 - Congratulating the Pittsburgh Slovak Catholic Sokol on its 85th Anniversary	1581
Ricciardi, Gene	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1586
Ricciardi, Gene	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1587
Ricciardi, Gene	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1592
Ricciardi, Gene	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1648
Ricciardi, Gene	Discussion - Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Rich, Ms.	Acceptance - Bill No. 554 - Congratulating the officers and members of Allegheny County League of Women Voters for 70 years	416
Richard, Brother	Discussion - Bill No. 1218 - Commending the entire staff of Bureau of Cable Communication	1036
Rizzo, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	458
Robison, Mr.	Acceptance - Bill No. 1108 - Recognizing July 22-28, 1990 as "Child Support Awareness Week" in the City	960

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Roddey, Mr.	Discussion - Bill No. 1686 - Declaring November 14, 1990 as National Retiree Volunteer Day in the City	1513
Rooney, Mr.	Acceptance - Bill No. 375 - Commending Franco Harris for his successful football career in Pittsburgh	250
Ross, Steve	Acceptance - Bill No. 185 - Declaring March 4, 1990, as Bowl for Kids Day in the City	105
Rotondo, Lou	Acceptance - Bill No. 87 - Commending those who helped in Hurricane Hugo Clean-up	58
Rucker, Mr.	Acceptance - Bill No. 1426 - Proclaiming Saturday, September 29, 1990 as "Manchester Reunited Association Day" in the City	1287
Rush, Ms.	Acceptance - Bill No. 582 - Recognizing Molly Rush as a true hero for onslaught of nuclearism	462
Ruttenberg, Mr.	Acceptance - Bill No. 1353 - Proclaiming September 14, 1990 American Textile Company Day in the City	1221
Ryan, Mr.	Acceptance - Bill No. 1267 - Declaring Sunday, August 19, 1990 as "Jazz Day" in the City	1089
Sajkiewicz, Dr.	Acceptance - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	593
Sales, Manford	Acceptance - Bill No. 187 - Proclaiming February 3, 1990 as MANFORD SALES DAY in the City	108
Sanchez, Ms.	Acceptance - Bill No. 720 - Proclaiming Wednesday May 16, 1990 as "Dolores Sanchez Day" in the City	622
Santamaria, Mr.	Acceptance - Bill No. 617 - Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	489
Schaeffer, Mr.	Acceptance - Bill No. 551 - Supporting the creation of a major world class cycling event	408
Schmalstieg, Ms.	Acceptance - Bill No. 665 - Commending the efforts of the South Side Branch Library	566
Schmeiser, Mrs.	Acceptance - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	621

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Schneider, Mr.	Acceptance - Bill No 1107 - comending Mark S. Schneider for his achievements in paramedics and congratulating him for his reciept of "The Paramedic of the Year Award" for 1990	958
Schuman, Ms.	Acceptance - Bill No. 666 - Proclaiming April 26, 1990 to be FreeWheelers Volunteer Day in the City	567
Sciulli, Director	Acceptance - Bill No. 635 - Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	534
Sengstacke, Bobby	Acceptance - Bill No. 218 - Recognizing the month of February as African American History Month	147
Senko, Mr.	Acceptance - Bill No. 1356 - recognizing the competition of the senior adults, Citiparks Senior Center Program	1226
Shay, Mr.	Acceptance - Bill No. 1842 - Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1606
Shore, Dr.	Acceptance - Bill No. 1726 - Declaring November 27, 1990 as "Dr. Barbara Shore Day" in the City	1534
Simms, Reverend	Acceptance - Bill No. 1605 - Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1400
Sipple, Mr.	Acceptance - Bill No. 577 - Commending ST.A.R. (Students Against Racisim) on their commitment to combatting bigotry	450
Slater, Mrs.	Acceptance - Bill No. 1454 - Declaring October 7-13, 1990 as Mental Illness Awareness Week in the City	1300
Sloan Mrs.	Acceptance - Bill No. 1263 - Proclaiming Tuesday, August 7, 1990 as "Stephanie Sloan Day" in the City	1085
Sloan, Ms.	Acceptance - Bill No. 1263 - Proclaiming Tuesday, August 7, 1990 as "Stephanie Sloan Day" in the City	1085
Smith, Roberta	Acceptance - Bill No. 35 - Celebrating the Fiftieth Anniversary for <u>The South Pittsburgh Reporter</u>	24
Smizik, Mr.	Acceptance - Bill No. 636 - Proclaiming Tuesday, April 17, 1990 as Bob Smizik Day in the City	536

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Sobocinski, Mr.	Acceptance - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1541
Sobocinski, Mr.	Acceptance - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1541
Soscia, Mr.	Acceptance - Bill No. 1222 - Proclaiming the month of August to be Blockbuster Video Kidprint Month in the City	1040
Spaniel, Ms.	Acceptance - Bill No. 665 - Commending the efforts of the South Side Branch Library	566
Speaker	Acceptance - Bill No. 1891 - Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1660
Speaker	Acceptance - Bill No. 1891 - Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1660
Speaker	Acceptance - Bill No. 1891 - Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1661
Springer-Kemp Ms.	Acceptance - Bill No. 1142 - African American Labor Center selected Pittsburgh as a study site	998
Staab, Mrs	Discussion - Bill No. 1218 - Commending the entire staff of Bureau of Cable Communication	1037
Stackhouse, Mr.	Acceptance - Bill NO. 1276 - Observing September 3, 1990 as the United Labor Day Parade	1150
Stagno, Mr.	Acceptance - Bill No. 721 - Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to commitment	623
Stagno, Mr.	Acceptance - Bill No. 721 - Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to commitment	624
Stephens, Mr.	Acceptance - Bill No. 804 - Extending commendations to the Allegheny Middle School Basketball Team on winning the City Championship	685
Stevens, Ms.	Acceptance - Bill No. 1663 - Welcoming all those attending the Sixty-Eighth Annual Conference of National Legal Aid and Defender Association	1453

ADDRESSES AND REMARKS

PEAKER	SUBJECT	PAGE
Stoner, Mr.	Discussion - Bill No. 581 - Proclaiming the week of April 1 through April 7, 1990 as Aids Awareness Week in the City	460
Stoudt, Mr.	Acceptance - Bill No. 439 - Welcoming the Conference attendees to the City critically needed long-term endeavors	296
Strayhorn, Mr.	Acceptance - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Strodes, Ms.	Acceptance - Bill No. 968 - Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	821
Stromberg, Ms.	Acceptance - Bill No. 438 - Commending Arlene Stromberg for her dedication to the Squirrel Hill Urban Coalition and the City	295
Suess, Mr.	Acceptance - Bill No. 1754 - Congratulating the Pittsburgh Slovak Catholic Sokol on its 85th Anniversary	1581
Tauxe, Mrs.	Acceptance - Bill No. 1725 - Calling upon Members of the Pennsylvania Congressional Delegation to support House Resolution #287	1532
Taylor, Mrs.	Acceptance - Bill No. 1325 - Proclaiming September 8, 1990 as Lambda Kappa Mu Sorority Inc. Day in the City	1197
Thomas, Mr.	Acceptance - Bill No. 1386 - Informing World Trade Center Association, Inc. of its desire to have a comprehensive world trade center	1250
Tiglio, Sam	Discussion - Thanking Council, Mayor, Jack Wagner and people that helped in Hurricane Hugo Clean-up	58
Tillman, Mr.	Acceptance - Bill No. 1220 - Proclaiming August 22, 1990 as Elder Oscar Timothy Tillman Day in the City	1038
Torisky, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	457
Tyndall, Ms.	Acceptance - Bill No. 1106 - Urging the President and the Congress of U.S. to enact the Act for Better Child Care Services	956
Tyson, Mr.	Acceptance - Bill No. 1729 - Proclaiming Wednesday, November 28, 1990 as Community Savings Association Day in the City	1539
Tyson, Mr.	Acceptance - Bill No. 1729 - Proclaiming Wednesday, November 28, 1990 as Community Savings Association Day in the City	1539

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Upshur, Reverend	Acceptance - Bill No. 1049 - Proclaiming July 3, 1990 as "Greater Love Outreach Day" in the City	887
Valicenti, Mr.	Acceptance - Bill No. 186 - Urging all citizens to participate in a legislative lobbying event of February 7, 1990 at State Capitol in support of H.700, the Medicare Over-Charge-Measure (MOM)	106
VanBuren, Mr.	Acceptance - Bill No. 1355 - recognizing the National Athletes	1224
Vanyo, Father	Delivering the invocation, special blessing upon Councilmembers being sworn in	1
Vierthaler, Ms.	Acceptance - Bill No. 633 - Supporting the week of April 15th as National Minority Cancer Awareness Week in the City	531
Wade, Mrs.	Acceptance - Bill No. 1727 - Proclaiming November 24, 1990 as "Mildred Wade Day" in the City	1535
Wagner, Jack	Taking the Oath of Office	7
Wagner, Jack	Acceptance speech for the President of Council	8
Wagner, Jack	Taking the Oath of Office for the President of City Council	8
Wagner, Jack	Introducing The Honorable Dan Cohen, Councilman, District 8, for his acceptance speech	9
Wagner, Jack	Introduction of The Honorable Sophie Masloff, Mayor, City of Pittsburgh	9
Wagner, Jack	Introduction of The Honorable Michael Coyne, Councilman, District 5, for his acceptance speech	11
Wagner, Jack	Introduction of The Honorable Duane A. Darkins, Councilman, District 9 City of Pittsburgh	12
Wagner, Jack	Introduction of The Honorable Jim Ferlo, Councilman, District 7 City of Pittsburgh	13
Wagner, Jack	Introduction of The Honorable Michelle Madoff, Councilwoman, District 2, City of Pittsburgh	15
Wagner, Jack	Introduction of The Honorable Bernard "Baldy" Regan, Councilman, District 1, City of Pittsburgh	16
Wagner, Jack	Introduction of The Honorable Jake Milliones, Councilman, District 6, City of Pittsburgh	16
Wagner, Jack	Introduction of Gene Ricciardi, Councilman, District 3, City of Pittsburgh	17
Wagner, Jack	Acceptance speech for organization of the One Hundred and Twenty Sixth Council of the City of Pittsburgh	18

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Introduction of Reverend Donald Clay of Mount Ararat Baptist Church who will offer the Benediction	21
Wagner, Jack	Discussion - Stating that Council no longer approves appointments of the five bureaus within the Department	28
Wagner, Jack	Telling Michelle Madoff to wait on Councilman Ricciardi's report on his Sub-Committee	29
Wagner, Jack	Update on Gene Ricciardi's Sub-Committee	29
Wagner, Jack	Discussion - updating his work on Ethics and Rules, sent a letter to Executive Director of State Ethics Commission, Mr. Contino, for meetings and seminars with Councilmembers	30
Wagner, Jack	Discussion - Reaffirming the two post agenda meetings on January 17 and 24, 1990 regarding the WHIP Program and PCRG Merger	33
Wagner, Jack	Discussion - Stating why he will support the appointment of Mary Conturo as City Solicitor Department of Law	45
Wagner, Jack	Confirming Michelle Madoff's request for a post agenda meeting for the ad hoc group regarding Tax Reform	49
Wagner, Jack	Requesting that Mike Perry set up a post agenda meeting for the ad hoc group	50
Wagner, Jack	Confirming - Michelle Madoff's request for a post agenda meeting with Dom Cimino regarding Demolition	52
Wagner, Jack	Discussion - Thanking Bob Caldwell, head basketball coach for Allegheny High School for coming to Council	53
Wagner, Jack	Discussion - Bill No. 87 - Commending those who helped in Hurricane Hugo Clean-up	56
Wagner, Jack	Discussion - Thanking Mayor Masloff for coordinating the Clean-up Crew for Hurricane Hugo	57
Wagner, Jack	Discussion - Introducing Sam Tiglio to say a few words about the Hurricane Hugo Clean-up Bill No. 87 - Commending those who helped in Hurricane Hugo Clean-up	58
Wagner, Jack	Discussion - Introducing Lonnie Rotondo to say a few words about the Hurricane Hugo Clean-up Bill No. 87 - Commending those who helped in Hurricane Hugo Clean-up	58
Wagner, Jack	Discussion - Stating how proud he is to be a Pittsburgher when in Charleston, South Carolina	59

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 41, 1061/90 CDBG Program decreasing line item HA-345, #39,000.00. (REMARKS), Wednesday, January 17, 1990	68
Wagner, Jack	Discussion - Bill No. 42, 1061/90 CDBG Program increasing line item CP-468, \$99,000.00 (REMARKS), Wednesday, January 17, 1990	87
Wagner, Jack	Discussion - Reminding Council to stay on the amendment to Bill No. 41 and Bill No. 42	93
Wagner, Jack	Discussion - Stating that he is voting No on Bill No. 41 and Bill No. 42	98
Wagner, Jack	Discussion - Stating that the Housing Authority didn't follow the City Policy for severance pay	98
Wagner, Jack	Discussion - Suggesting to send a message to the Housing Authority about severance pay	98
Wagner, Jack	Discussion - Stating that the Housing Authority has not officially voted on Mr. Pietragallo's severance pay	99
Wagner, Jack	Discussion - Stating that he wants to stick to City Policy on severance pay regarding Mr. Pietragallo	99
Wagner, Jack	Discussion - Stating that Council needs to vote on a post agenda for the Administration briefing Council on the City's Pension Plan	141
Wagner, Jack	Discussion - Stating that there is a motion on the floor to have a public hearing on various pension plans in City Government	142
Wagner, Jack	Discussion - Suggesting that Council holds a briefing on various pension plans, in an informal session	142
Wagner, Jack	Discussion - Suggestion to hold two vetoed Bills 93 and 94 until the end of the meeting	153
Wagner, Jack	Discussion - Stating the Mayor's veto will stand by Council due to the fact that Bill Nos. 93 and 94 were repealed	163
Wagner, Jack	Discussion - Bill No. 293 - Supporting Neighborhood Legal Services Association opposition to the funding cut-off efforts	165
Wagner, Jack	Discussion - Bill No. 293 - Supporting Neighborhood Legal Services Association opposition to the funding cut-off efforts	166
Wagner, Jack	Discussion - Bill No. 294 - Declaring Wednesday, February 21, 1990, John A. Brashear High School Vocational Education Day in the City	167

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Stating that he will attend the Brashear High School Vocational Education Day	168
Wagner, Jack	Discussion - Stating that Public Hearings serve the same purpose as Bill No. 89 Supplementing Rule X of the Rules of Council	183
Wagner, Jack	Discussion - Stating that Pittsburgh's Council is the most open legislative body	185
Wagner, Jack	Discussion - Stating that Bill No. 89 - Supplementing Rule X of the Rules of Council should be voted on since it was held already	185
Wagner, Jack	Discussion - Stating that Pittsburgh's Council is the most open legislative body	186
Wagner, Jack	Discussion - Stating that Bill No. 160 - Warrant in favor of David J. Pierson and Lori Ann for \$50,000.00 is a worthy Bill to vote for	188
Wagner, Jack	Discussion - Stating that it's each Council-member's prerogative to spend their \$70,000 as they wish	191
Wagner, Jack	Discussion - Stating he is not voting to recommit Bill Nos. 148 and 149 - application Dept. of Community Affairs on the GNC property	203
Wagner, Jack	Discussion - Bill Nos. 148 and 149 - application Dept. of Community Affairs on the GNC property to keep the jobs in the City	204
Wagner, Jack	Discussion - Stating that unfunded pensions, worker's comp. and Water Dept. collections are three different issues and should be handled on three different occasions	211
Wagner, Jack	Discussion - Stating that if there is a majority there should be a public hearing on outstanding taxes	212
Wagner, Jack	Discussion - Stating that Council should formally request the Administration provide all Councilmembers information pertaining to unfunded pension, worker's comp. and Water Dept. collections	212
Wagner, Jack	Discussion - Stating Council should ask for information of unfunded pension, worker's comp. and Water Dept. collections then request a post agenda	213

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Stating that the Mayor should inform Council as to what authorities are under her jurisdiction	243
Wagner, Jack	Discussion - Stating that the person's term of office does not correspond with the vacancy on the authority.	243
Wagner, Jack	Discussion - Stating that The Pittsburgh Office of the Census Bureau is looking for people to work on the 1990 census.	244
Wagner, Jack	Discussion - Stating that the Pledge of Allegiance is going to be sung and played	247
Wagner, Jack	Discussion - Thanking Mr. Harold Betters for coming in front of Council	248
Wagner, Jack	Discussion - Bill No. 384 - Commending MAGLEV Working Group for their accomplishments for the project between Downtown Pittsburgh and Pittsburgh International Airport	259
Wagner, Jack	Acceptance - Bill 384 - Commending MAGLEV Working Group for their accomplishments for the project between Downtown Pittsburgh and Pittsburgh International Airport	260
Wagner, Jack	Discussion - Bill No. 316 - Taking and condemning by the City for public health use certain property of Panther Hollow Corp, Sol N. Gross owner, 3810 Crooked Run Road, 15th Ward (REMARKS) Wednesday February 21, 1990	269
Wagner, Jack	Discussion - Stating that he does not recall legislation asking the Administration to take safety measures	287
Wagner, Jack	Discussion - Stating that the Director of Public Safety look at the premises and give his recommendations on security	288
Wagner, Jack	Discussion - Stating that a letter will be sent to Director Cannon asking him to look into securing the premises	288
Wagner, Jack	Discussion - Stating that Council is talking about simply tax exempt status	291
Wagner, Jack	Discussion - Stating that it is okay to talk about the appointments of Joan Ivey and Ralph Alster to the Historic Review Commission (Bill Nos. 385 and 386), but they will not be in front of Council	304

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Stating that the motion to take out the dollar figures on contracts has to be in writing according the the Council Rules	331
Wagner, Jack	Discussion - Welcoming Ms. Espisito and her third grade class from St. Basil School to Council	337
Wagner, Jack	Discussion - Bill No. 478 - Welcoming the All Ireland Champion Dancers and Musicians to Pittsburgh	341
Wagner, Jack	Discussion - Bill No. 478 - Welcoming the All Ireland Champion Dancers and Musicians to Pittsburgh, introducing Sister Michelle O'Leary	342
Wagner, Jack	Discussion - Bill No. 229 - Furnishing of motorized fire equipment Dept. of General Services, \$660,000.00, Amending No. 500/89 (REMARKS) Wednesday March 7, 1990	358
Wagner, Jack	Discussion - Asking Michael Perry to schedule a tour of the Streets Run area problem	366
Wagner, Jack	Discussion - Bill No. 315 -Supplementing the Pittsburgh Code, Title Six- Conduct, Article V-Discrimination, sexual orientation	388
Wagner, Jack	Discussion - Bill No. 421 - Lease City Council District Office facilities, \$45,000.00	397
Wagner, Jack	Discussion - Bill No. 421 - Lease City Council District Office, facilities, \$45,000.00	402
Wagner, Jack	Discussion - Bill No. 447 - Traffic signal installation at various locations, \$75,000 (REMARKS) Wednesday March 21, 1990	423
Wagner, Jack	Discussion - Bill No. 96 - Title Nine, Zoning to the "SP-2" Herr's Island Specially Planned Zoned District revising the listing of preferred use (REMARKS) Wednesday, March 21, 1990	425
Wagner, Jack	Discussion - Bill No. 449 - Authorization to Allegheny General Hospital construct a five-story, 120-bed care facility of HEMLOCK STREET and JAMES STREET, 22nd Ward (REMARKS) Wednesday March 21, 1990	429
Wagner, Jack	Discussion - Bill No. 449 - Authorization to Allegheny General Hospital construct a five-story, 120-bed care facility of HEMLOCK STREET and JAMES STREET, 22nd Ward	431
Wagner, Jack	Discussion - Stating that a majority of the Authorities do submit employee's list	445

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Streets Run Stream in the Hays District, 31st Ward	447
Wagner, Jack	Discussion - Agreeing with the re-appointment of Michael Perry and Linda Johnson-Wasler for City Clerk and Assistant City Clerk	466
Wagner, Jack	Discussion - Bill No. 421 - Lease for City Council District Office facilities, \$45,000	470
Wagner, Jack	Discussion - Asking for a post agenda meeting for Wednesday April 4, 1990 on the Grand Prix issue	481
Wagner, Jack	Discussion - the Grand Prix issue	482
Wagner, Jack	Discussion - Bill No. 526 - Public Strategies, Inc., \$1,000.00 (REMARKS) Wednesday April 4, 1990	495
Wagner, Jack	Discussion - Asking Mike Perry to obtain a report from Glenn Cannon comparing the crime rates of Pittsburgh and New York	525
Wagner, Jack	Discussion - Bill No. 635 - Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	535
Wagner, Jack	Discussion - stating Council has allocated \$75,000.00 to Westgate Broadhead Manor	547
Wagner, Jack	Discussion - asking Mike Perry to sent a letter to the administration concerning the Westgate Broadhead Manor center	549
Wagner, Jack	Discussion - wanting the Administration to initiate matters concerning Westgate Broadhead Manor	550
Wagner, Jack	Discussion - denying Jim Ferlo's request to televise the Public Hearing on Hunger and access to food	554
Wagner, Jack	Discussion - Bill No. 587 - Agreement Oakland Traffic Improvement Studies (REMARKS) April 18, 1990	579
Wagner, Jack	Discussion - Bill No. 622 - Filing application for financial assistance Stadium Renewal Project by city with Dept. of Community Affairs \$1,900,000 (REMARKS) Wednesday April 18, 1990	581
Wagner, Jack	Discussion - Bill No. 585 - Adopting and approving the 1990 Capital Budget and the 1990 Capital Improvement Program, First Avenue Public Space Improvements, \$60,000.00 (REMARKS) Wednesday, April 18, 1990	583

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	591
Wagner, Jack	Discussion - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	592
Wagner, Jack	Discussion - Bill No. 687 - Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	593
Wagner, Jack	Discussion - Stating that the original request was to look into security in the building	616
Wagner, Jack	Discussion - Security in the Department of City Council and throughout the building	617
Wagner, Jack	Discussion - Discussion - Security in the Department of City Council and throughout the building, sending letters to various Dept.	617
Wagner, Jack	Discussion - Bill No. 719 - Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	621
Wagner, Jack	Discussion - Bill No. 723 - Declaring the first week of May, 1990 to "Working Women's Awareness Week" in the City	626
Wagner, Jack	Discussion - Recommending Gene Ricciardi to Water and Sewer Authority	638
Wagner, Jack	Discussion - Asking Mike Perry to try to get the people being appointed in front of Council	639
Wagner, Jack	Discussion - asking Mike Perry to send a Letter to Mary Beth Salley-Rizzuto asking for an update	641
Wagner, Jack	Discussion - stating that there are several meeting with Mr. Mistick scheduled concerning promotional development at the airport	642
Wagner, Jack	Discussion - Port Authority will make the promotional development at the airport their number one priority	643
Wagner, Jack	Discussion - status on the architect on the promotional development at the airport	644
Wagner, Jack	Discussion - post agenda on the promotional development at the airport	646

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 727 - Appointment of Deborah Miskovich City Magistrate, term effective immediately and to expire January, 1991 (REMARKS) Wednesday, May 9, 1990	656
Wagner, Jack	Discussion - autothefts and Lojack	678
Wagner, Jack	Discussion - autothefts and Lojack	679
Wagner, Jack	Discussion - stating the Jake Milliones will be late for the meeting in regard to the Crawford-Roberts Project	681
Wagner, Jack	Discussion - Bill Nos. 728 and 729 - appointing John A. Zottola to the City Planning Commission and Board of Adjustment (REMARKS) Wednesday, May 16, 1990	690
Wagner, Jack	Discussion - Bill No. 701 - Fixing the number of officers and employees of the City due to recent Police Arbitration Award	714
Wagner, Jack	Discussion - Bill No. 702 - City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	721
Wagner, Jack	Discussion - Bill No. 833 - Proclaiming the week of June 4 through June 9, 1990 as "Motorcycle Awareness Week" in the City	733
Wagner, Jack	Discussion - Bill No. 833 - Proclaiming the week of June 4 through June 9, 1990 as "Motorcycle Awareness Week" in the City	734
Wagner, Jack	Discussion - whether or not the American Flag should be flying in front of the City County Building on Independence Day	748
Wagner, Jack	Discussion - status report on the Grandview Hotel Project	764
Wagner, Jack	Discussion - the Steelworker Statue at The Three Rivers Arts Festival	768
Wagner, Jack	Discussion - requesting a moment of silence for the Councilmen from Markleysburg, Fayette County that died of electrocution	771
Wagner, Jack	Discussion - Bill No. 857 - Calling for commitment of all available resources for the City, Allegheny County, PA Dept. of Transportation, Port Authority and the Urban Mass Transit Association to ensure that project moves forward with the new Pittsburgh International Airport	777
Wagner, Jack	Discussion - meeting with Council, the Administration, Mr. Kohling and County Commissioners on tax reform happenings for refunds to Senior Citizens	785

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Post agenda meeting for the chunks of concrete falling from the Greenfield bridge	786
Wagner, Jack	Discussion - Post agenda meeting for the chunks of concrete falling from the Greenfield bridge	787
Wagner, Jack	Discussion - asking for a moment of silence for the death of President of Crafton Borough Council Mr. James Fuhs	795
Wagner, Jack	Discussion - Bill No. 803 - Historic Review Commission and the Planning commission a Historic Structure the Soldiers and Sailors Memorial Hall, 5th Avenue (REMARKS) Wednesday, June 6, 1990	803
Wagner, Jack	Discussion - Bill No. 843 - Authorizing the City to assist the City of Denver in implementing a computer aided dispatch training program (REMARKS) Wednesday, June 6, 1990	807
Wagner, Jack	Discussion - Bill Nos. 882 and 883 appointing Randal Forrester and Rev. Roger Ferlo to the Human Relations Commission	811
Wagner, Jack	Discussion - post agenda with Stanley Marshall, Airport marketing and Administration concerning Airport Development	812
Wagner, Jack	Discussion - post agenda with Stanley Marshall, Airport marketing and Administration concerning Airport Development	813
Wagner, Jack	Discussion - introduction of legislation for Ethics	815
Wagner, Jack	Discussion - Bill No. 971 - PennDOT and the Federal Highway Administration move to convey the property in the lower Strip to the City and the URA	827
Wagner, Jack	Discussion - Bill No. 784 - Granting the University of Pittsburgh a license to construct telephone and electrical conduits on the City's right-of-way	839
Wagner, Jack	Discussion - Bill No. 972 - Informing Council of the re-appointment of Moira Harrington as City Magistrate for a term to Expire January, 1993	848
Wagner, Jack	Discussion - urging to bring back entertainers to the Civic Arena and Three Rivers Stadium	849
Wagner, Jack	Discussion - calling of a post agenda to discuss the recycling issue	849

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - stating that Bill Nos. 1015 - 1020 are presented privately and will be read into the Record	856
Wagner, Jack	Discussion - Bill No. 892 - establishing a trust fund designated as EFRWD, for Governmental Agencies	867
Wagner, Jack	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	872
Wagner, Jack	Discussion - Bill No. 958 - Transfer 45,000 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	873
Wagner, Jack	Discussion - Bill No. 864 - Residential Parking Permit Program in South Oakland, \$10.00 (REMARKS) Wednesday, June 20, 1990	874
Wagner, Jack	Discussion - Bill No. 860 - Consultant for preschematic and site planning architectural services, in connection with the new Public Safety Building, \$100,000.00	876
Wagner, Jack	Discussion - public hearing scheduled for the afternoon of June 26, 1990 is cancelled	877
Wagner, Jack	Discussion - construction to No. 6 Station in Squirrel Hill	878
Wagner, Jack	Discussion - Bill No. 1052 - Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	890
Wagner, Jack	Discussion - Bill No. 1052 - Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	891
Wagner, Jack	Discussion - Bill No. 1052 - Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	891
Wagner, Jack	Discussion - Bill No. 1053 - Congratulating Canevin Crusaders Softball Team on their brilliant regular and post season play	891
Wagner, Jack	Discussion - abstaining from CDBG Bills	916
Wagner, Jack	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	918

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	918
Wagner, Jack	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	918
Wagner, Jack	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	919
Wagner, Jack	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	919
Wagner, Jack	Discussion - Bill No. 848 - Ordinance supplementing Pittsburgh Code, Title Six, Conduct Chapter 606, River Safety Boating	920
Wagner, Jack	Discussion - Bill No. 1070 - Expresses support of Senate Bill 1705 and asks for swift passage to allow Pittsburgh to become more competitive in the tourism market	927
Wagner, Jack	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	939
Wagner, Jack	Discussion - Bill No. 987 - Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	940
Wagner, Jack	Discussion - actions by the Police Dept. or River Rescue regarding the mooring of boats at the Point	947
Wagner, Jack	Discussion - he is in the process of setting up general budgetary sessions with Mr. Turner	949
Wagner, Jack	Discussion - Keeping Larry Kuzmanko as President of the Pittsburgh Marathon	951
Wagner, Jack	Discussion - reminding Council of the public hearing on cigarette vending machines and showing support of Glenn Cannon as Director for Public Safety	954
Wagner, Jack	Discussion - Bill No. 953 - Agreement with Patrick Media Group, Inc. \$24,549.50	977
Wagner, Jack	Discussion - Bill No. 884 - Cooperation Agreement with URA Relocation of Street Rights of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	986

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - suggesting a post agenda on particular property responsible for wrecked autos and garbage dumped	993
Wagner, Jack	Discussion - Bill No. 1143 - Congratulating Mayor Sophie Masloff the 1990 "Riverperson of the Year" urging citizens to participate in the bountiful rivers	998
Wagner, Jack	Discussion - Bill No. 1143 - Congratulating Mayor Sophie Masloff the 1990 "Riverperson of the Year" urging citizens to participate in the bountiful rivers	999
Wagner, Jack	Discussion - Bill Nos. 1090 and 1091 - Filing of an application by the City in connection with JTPA, \$960,000.00 and authorization to make all legitimate administrative expenditures \$52,000.00 (REMARKS) Wednesday, July 18, 1990	1010
Wagner, Jack	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 Public Order	1021
Wagner, Jack	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1021
Wagner, Jack	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1021
Wagner, Jack	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1025
Wagner, Jack	Discussion - Bill No. 789 - Title Six - Conduct Article I Chapter 601 - Public Order	1026
Wagner, Jack	Discussion - letter to the Administration stating Council'r request prior to Public Hearing on recycling	1032
Wagner, Jack	Discussion - Bill No. 1218 - Commending the entire staff of Bureau of Cable Communication	1037
Wagner, Jack	Discussion - Bill No. 1075 - Warrant in favor of Milton G. Holt for \$575.00 (REMARKS) Wednesday, July 25, 1990	1064
Wagner, Jack	Discussion - Bill Nos. 1227 - 1230 appointments of various people to various commissions	1072
Wagner, Jack	Discussion - Bill Nos. 1227 - 1230 appointments of various people to various commissions	1073
Wagner, Jack	Discussion - regarding appointments to the Personnel Appeals Board	1078
Wagner, Jack	Discussion - public hearing on the recycling Ordinance	1080

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 1267 - Declaring Sunday, August 19, 1990 as "Jazz Day" in the City	1088
Wagner, Jack	Discussion - Bill No. 1267 - Declaring Sunday, August 19, 1990 as "Jazz Day" in the City	1088
Wagner, Jack	Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines	1094
Wagner, Jack	Discussion - Bill No. 789 - Ordinance amending PC Title Six, Article One prohibiting cigarette vending machines	1095
Wagner, Jack	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1098
Wagner, Jack	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1103
Wagner, Jack	Discussion - Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1103
Wagner, Jack	Discussion - investigation into the oil companies	1144
Wagner, Jack	Discussion - public hearing on the revised smoking vending machine ordinance	1146
Wagner, Jack	Discussion - Bill No. 1276 - Observing September 3, 1990 as the United Labor Day Parade	1148
Wagner, Jack	Discussion - Bill NO. 1275 - Proclaiming September 2nd and 3rd as "Jerry Lewis Telethon Weekend" in the City	1148
Wagner, Jack	Discussion - Bill NO. 1275 - Proclaiming September 2nd and 3rd as "Jerry Lewis Telethon Weekend" in the City	1148
Wagner, Jack	Discussion - Bill NO. 1276 - Observing September 3, 1990 as the United Labor Day Parade	1149
Wagner, Jack	Discussion - Bill No. 1231 - Transfer \$1,100.00 From Code Account 1001-1 Misc. Services to Code Account 1838, Misc. Services, Dept. of Parks and Rec. (REMARKS) Wednesday, August 8, 1990	1158
Wagner, Jack	Discussion - Bill No. 1248 - Transfer 55,000 From Code Account 1063, Misc. Services, Dept. of Finance to the Property Tax Reduction Trust Fund	1168

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 1087 - Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing Article VII (REMARKS) Wednesday, August 8, 1990	1171
Wagner, Jack	Discussion - Bill No. 1087 - Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing Article VII (REMARKS) Wednesday, August 8, 1990	1181
Wagner, Jack	Discussion - welcoming Council back from recess	1197
Wagner, Jack	Discussion - Bill No. 1327 - Declaring September 4th, 5th, and 6th, 1990 as "Sharing and Caring Days" in the City	1199
Wagner, Jack	Discussion - Bill No. 1326 - honoring Southwestern Pennsylvania Regional Planning Commission	1199
Wagner, Jack	Discussion - Council not receiving a six year capital budget	1215
Wagner, Jack	Discussion - stating that there was a small fire on the Fourth Floor	1224
Wagner, Jack	Discussion - Bill No. 1224 appointment of Ralph Proctor to Human Relations Commission term effective immediately and to expire July, 1991	1229
Wagner, Jack	Discussion - Bill No. 1323 - Ordinance Title Six - Conduct, Chapter 606, River Safety Boating, adding Section 606.10 (REMARKS) Wednesday, September 5, 1990	1233
Wagner, Jack	Discussion - Bill No. 1386 - Informing World Trade Center Association, Inc. of its desire to have a comprehensive world trade center	1249
Wagner, Jack	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Wagner, Jack	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1259
Wagner, Jack	Discussion - Bill No. 1341 - Transfer from Code Account 53-1, Index Code to various departmental accounts within the City	1260

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - suggesting that the Capital Budget hearings be broken down into Council District	1279
Wagner, Jack	Discussion - Bill No. 1426 - Proclaiming Saturday, September 29, 1990 as "Manchester Reunited Association Day" in the City	1287
Wagner, Jack	Discussion - Bill No. 1427 - Offering all assistance to the Executive of Conrail in locating National Customer Service Center	1288
Wagner, Jack	Discussion - Bill No. 1455 - Welcoming all those attending the National Apostolate of maronites Regional Convention	1300
Wagner, Jack	Discussion - Bill No. 1455 - Welcoming all those attending the National Apostolate of maronites Regional Convention	1300
Wagner, Jack	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection (REMARKS) Wednesday, September 26, 1990	1311
Wagner, Jack	Discussion - Bill No. 812 - Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	1318
Wagner, Jack	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1325
Wagner, Jack	Discussion - Bill No. 1237 - Ordinance Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1325
Wagner, Jack	Discussion - Mayor Caliguiri Statue in front of the City-County Building	1358
Wagner, Jack	Discussion - Bill No. 1560 - Urging the residents of the City to Vote YES on the upcoming referendum to ensure financial assistance for additional jail cells	1369
Wagner, Jack	Discussion - Bill No. 1431 - Agreement The Mayor and Chief Administrative, \$10,000.00 in connection with the City's Solid Waste Management Program	1383

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1390
Wagner, Jack	Discussion - Bill No. 1429 - Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1391
Wagner, Jack	Discussion - public hearing on Riverfront Commission Draft Report	1393
Wagner, Jack	Discussion - Bill No. 1603 - Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1398
Wagner, Jack	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Wagner, Jack	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Wagner, Jack	Discussion - Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Wagner, Jack	Discussion - Bill No. 1663 - Welcoming all those attending the Sixty-Eighth Annual Conference of National Legal Aid and Defender Association	1453
Wagner, Jack	Discussion - Bill No. 1663 - Welcoming all those attending the Sixty-Eighth Annual Conference of National Legal Aid and Defender Association	1453
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1457
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1461
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1462

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct (REMARKS) Wednesday, October 31, 1990	1469
Wagner, Jack	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1486
Wagner, Jack	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1487
Wagner, Jack	Discussion - Bill No. 1391 - Ordinance Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1488
Wagner, Jack	Discussion - Bill No. 1540 - Agreements Design all displays in winter at Pittsburgh Zoo, \$70,000.00 (REMARKS) Wednesday, October 31, 1990	1494
Wagner, Jack	Discussion - what can Council do in regards to the narcotics problem	1504
Wagner, Jack	Discussion - Introducing Mayor Masloff to give her 1991 Budget Adress	1507
Wagner, Jack	Discussion - Bill No. 1687 - Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1514
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1521
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1522
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1523
Wagner, Jack	Discussion - Bill No. 637 - An Ordinance Title One - Administrative, Article XI Personnel adding Chapter 196, Code of Public Conduct	1524
Wagner, Jack	Discussion - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1541
Wagner, Jack	Discussion - Bill No. 1732 - Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1542
Wagner, Jack	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena (REMARKS) Wednesday, November 14, 1990	1549
Wagner, Jack	Discussion - Bill No. 1633 consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Areana	1561
Wagner, Jack	Discussion - Bill No. 1679 - Ordinance Title One - Administrative, Article XI Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1565
Wagner, Jack	Discussion - meeting with Carnegie Library will be November 30 at 10:00	1573
Wagner, Jack	Discussion - asking for a moment of silence for Sergeant James Blair who lost his life in the line of duty	1577
Wagner, Jack	Discussion - Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1586
Wagner, Jack	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1591

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1591
Wagner, Jack	Discussion - Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1592
Wagner, Jack	Discussion - asking the President Pro Tem to take over chairing the meeting for personal reasons	1595
Wagner, Jack	Discussion - Bill No. 1840 - Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1603
Wagner, Jack	Discussion - Bill No. 1864 - Declaring Saturday, December 15, 1990 as Michael Moorer Day in the City	1630
Wagner, Jack	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1631
Wagner, Jack	Discussion - Bill No. 1863 - Designating December 11, 1990 as Valspar Day in the City	1631
Wagner, Jack	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1642
Wagner, Jack	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1643
Wagner, Jack	Discussion - Bill No. 1811 - An Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1644

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1647
Wagner, Jack	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1647
Wagner, Jack	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1648
Wagner, Jack	Discussion - Bill No. 1812 - Granting unto Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1648
Wagner, Jack	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1650
Wagner, Jack	Discussion - Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1652
Wagner, Jack	Discussion - Bill No. 1696 - An Ordinance Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1675
Wagner, Jack	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1680
Wagner, Jack	Discussion - Bill No. 1717 - Director of Dept. of Parks increase fees in connection with Dept. of Parks Swimming Pool Program, effective January 1, 1991	1680
Wagner, Jack	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1681
Wagner, Jack	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1682

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wagner, Jack	Discussion - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1683
Wagner, Jack	Discussion - Agreement between the County and the City with reference to the Public Safety Building and the Jail	1688
Wagner, Jack	Discussion - Bill No. 1742 - Making appropriations to pay the expenses of conducting public business of the City for meeting Debt Charges beginning January 1, 1991	1689
Wagner, Jack	Discussion - Bill Nos. 1853 and 1854 - Dept. of Finance to issue partial checks to supplement City Employees called to active military service and a warrant in favor of Vested Employees for the payment of unused sick time (REMARKS) Wednesday December 19, 1990	1694
Wagner, Jack	Discussion - Bill No. 1896 - lease agreement 100 Grant Street between the City of Pittsburgh Landlord, and the County of Allegheny Tenant	1709
Wagner, Jack	Discussion - Asking Jake Milliones to come forward and say a few words in regards to 1991 Budget	1710
Wagner, Jack	Discussion - stating that this was the most productive year of any Council in terms of professionalism	1711
Waldorf, Ms.	Acceptance - Bill No. 1487 - Declaring the week of October 6-13, 1990 as Parents Without Partners Week in the City	1336
Walko, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	456
Walko, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	457
Walko, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	458
Walko, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	458
Walko, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	458
Walko, Mr.	Acceptance - Bill No. 580 - Saluting Vintage Grand Prix Association	459
Walsh, Mr.	Acceptance - Bill No. 506 - Designating April 22, 1990 as Earth Day 1990	373

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Waschak, Mr.	Acceptance - Bill No. 1223 - Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1042
Washington, Mr.	Acceptance - Bill No. 1605 - Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1400
Washington, Mr.	Acceptance - Bill No. 1605 - Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1400
Watson, Mr.	Acceptance - Bill No. 1386 - Informing World Trade Center Association, Inc. of its desire to have a comprehensive world trade center	1249
Werner, Mrs.	Acceptance - Bill No. 1553 - Proclaiming this as "Hate to Leave Blues Day" in the City	1362
Westlager, Mr.	Acceptance - Bill No 1107 - comending Mark S. Schneider for his achievements in paramedics and congratulating him for his receipt of "The Paramedic of the Year Award" for 1990	958
White, Mr.	Acceptance - Bill No. 294 - Declaring Wednesday, February 21, 1990, John A. Brashear High School Vocational Education Day in the City	169
White, Mr.	Acceptance - Bill No. 382 - Recognizing WR Lazard & Co. as a full service minority owned investment banking firm	257
White, Ms.	Acceptance - Bill No. 1145 - Recognizing the Dublin, Ireland Women's Division I Basketball Club	1003
Whittington, Mr.	Acceptance - Recognizing the Members of the Pittsburgh Flying Disc Society	1578
Whittington, Mr.	Acceptance - Recognizing the Members of the Pittsburgh Flying Disc Society	1579
Wierzbowski, Ms.	Acceptance - Bill No. 1483 - Wishing April Wierzbowski and other peer leaders success with the SMART MOVES program	1331
Williams, Mr.	Acceptance - Bill No. 617 - Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	489
Williams, Mr.	Acceptance - Bill No. 1557 - Commending the National Council of Senior Citizens	1366
Williams, Officer	Acceptance - Bill No. 662 - Saluting each one of the City Police Officers for their sincere dedication	562

ADDRESSES AND REMARKS

SPEAKER	SUBJECT	PAGE
Wilson, Ms.	Acceptance - Bill No. 1048 - Saluting the Pittsburgh Center for Arts for its dedication to carry out its mission to encourage participation for the arts	886
Wise, Mr.	Acceptance - Bill No. 624 - Supporting the creation of the model Multiracial, Multi-ethnic and Multicultural middle school for the Pittsburgh School District	626
Wolvovitz, Ms.	Acceptance - Bill Nos. 829 and 830 - Supporting the Civil Rights Act of 1990 and supporting The Racial Justice Act	729
Yeager, Matt	Acceptance - Bill No. 1275 - Proclaiming September 2nd and 3rd as "Jerry Lewis Telethon Weekend" in the City	1148
Zerler, Ms.	Acceptance - Bill No. 1483 - Wishing April Wierzbowski and other peer leaders success with the SMART MOVES program	1331

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
59	Alcosan	Submitting the Authority's list of personnel as of December 31, 1989	59
79	Blocksidge, Charles	Submitting Certified total of assessments of lands and buildings for the City	62
1720	Blocksidge, Charles	Submitting the estimated total assessment of lands and buildings for the City \$369,877,979	1547
336	Commonwealth of PA	Announcing its intention to commence an Environmental Assessment to address the siting of Western Home in PA at the location adjacent to Veterans Hospital on Leech Farm Road	232
959	Conturo, Mary	Submitting a Quarterly Report of settlement of small claims not exceeding \$750.00 for the First Quarter 1990 payable form Code Account No. 1081, Petty Claims	839

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
1449	Conturo, Mary	Submitting a Quarterly Report of the settlement of small claims not exceeding \$750.00 for the Second Quarter, 1990	1305
285	Conturo, Mary K.	Submitting the Quarterly Report of the small claims, \$750.00 also a Quarterly Report of the settlement, \$750.00, Fourth Quarter 1989	180
1010	Cosentino, Richard	Submitting the Pittsburgh Water and Sewer Authority Financial Statements for the years ended December 31, 1989 and 1988	863
1324	Flaherty, Thomas	Submitting the fiscal audit for Dept. of General Services' Warehouse Inventory	1208
1346	Flaherty, Thomas	Submitting fiscal audit of the Bureau of Police, Tow Pound, Dept. of Public Safety	1229
1637	Flaherty, Thomas	Submitting the Performance Audit of the Stadium Authority of the City for the years ended March 31, 1985 through March 31, 1990	1429
179	Flaherty, Thomas	Submitting the Performance Audit of Vacant Property Maintenance, January 1990	123
32	Flaherty, Thomas	Submitting the statement of revenues collect and expenditures paid from cash transaction of the Finance Dept., Dog License Section, years ending May 31, 1989	27
337	Flaherty, Thomas	Submitting the Fiscal Audit of the Schenley Park Golf Course, Dept. of Parks and Recreation as of December 31, 1988 and 1987	232
873	Flaherty, Tom	Submitting a performance audit on traffic court for May, 1990	795
653	Flaherty, Tom	Submitting a performance audit of Animal Control division of the City of Pittsburgh	570
712	Flaherty, Tom	Submitting a performance audit of the Pittsburgh Parking Authority for February, 1990	630

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
713	Flaherty, Tom	Submitting a Special Report on the construction work of the Public Parking Authority of Pittsburgh for the years 1985-1989	631
771	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City depositories as of March 31, 1990	656
679	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of February 28, 1990	599
499	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories of January 31, 1990	382
177	Hayllar, Ben	Submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of October 31, 1989	123
178	Hayllar, Ben	Submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of November 30, 1989	123
286	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories	181
208	Hayllar, Ben	Submitting the Defense Spending Report for 1988	152
1544	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of June 30, 1990	1378

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
1545	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of July 31, 1990	1378
1546	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of August 31, 1990	1379
1040	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories	896
1134	Hayllar, Ben	Submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of May 31, 1990	1007
1224	Masloff, Sophie	Appointing Ralph Proctor, Jr. to Human Relations Commission for term effective immediately and to expire July of 1991	1071, 1229
1225	Masloff, Sophie	Appointing James Cunningham to Art Commission for term of the Mayor	1071, 1096
1226	Masloff, Sophie	Appointing Raymond Schinhofen to Art Commission for term of the Mayor	1071, 1096
1227	Masloff, Sophie	Appointing Howard Graves to Historic Review Commission term effective immediately and to expire December of 1991	1071, 1097
1228	Masloff, Sophie	Appointing John DeSantis to Historic Review Commission term effective immediately and to expire December 1991	1072, 1097
1229	Masloff, Sophie	Appoint Marilyn Detwiler to Planning Commission term effective immediately and to expire January 1996	1072, 1104

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
1230	Masloff, Sophie	Appointing Don Machen to Planning Commission term effective immediately and to expire January 1992	1072, 1104
1071	Masloff, Sophie	Informing Council of the appointment of John J. Sciullo to URA Board for a term to expire December of 1992	944
1072	Masloff, Sophie	Informing Council of the appointment of Williard C. Shiner to City Planning Commission term effective immediately and to expire January 1996	944
1561	Masloff, Sophie	Reappointing Alma Speed Fox to the Human Relations Commission for a term effective immediately and to expire July of 1992	1392
1562	Masloff, Sophie	Reappointing Constance Wellons to the Human Relations Commission for a term effective immediately and to expire July of 1992	1392
1690	Masloff, Sophie	Appointing Jeffrey K. Thomas to the Minority and Women Business Enterprise Review Committee term effective immediately and to expire April 1992	1528, 1547
571	Masloff, Sophie	Returning along with her veto Bill No. 421 for a lease for City Council District Office facilities, \$45,000.00	467
34	Masloff, Sophie	Informing Council of the appointment by the Mayor of Dominick Cimino, as Chief, Department of Public Safety, Bureau of Building Inspection	27
78	Masloff, Sophie	Submitting updated Table of Orginazition which reflects Budget for filing in the Office of the City Clerk	62
338	Masloff, Sophie	Informing Council of the appointment of Dominic J. Cimino, as an Ex. Officer Member of the Board of Code Review	233

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
339	Masloff, Sophie	Informing Council of the appointment of Dominic J. Cimnio, as Ex. Officer Member of the Board of Standards and Appeals	233
340	Masloff, Sophie	Informing Council of the appointment of Bernard J. Regan, as a member of Stadium Authority Board, term to expire January, 1994	233
341	Masloff, Sophie	Informing Council of the appointment of Sr. Ellinita O'Connor, S.C. as a member of Housing Authority Board, term to expire October, 1993	233
422	Masloff, Sophie	Informing Council of the appointment of Councilman Duane Darkins, as a member of Public Parking Authority, term to expire April, 1993	303
423	Masloff, Sophie	Informing Council of the appointment of John E. Gabriel, as a member of the Civil Service Commission, term to expire concurrent with the Mayor's term of office	303
424	Masloff, Sophie	Informing Council of the re-appointment of Marianne Zebrowski to the Civil Service Commission, term to expire concurrent with the Mayor's term of office	303
425	Masloff, Sophie	Informing Council of the re-appointment of James Sterling, to the Board of Code Review, term to expire January, 1992	303
426	Masloff, Sophie	Informing Council of the re-appointment of Eugene Dotter, to the Board of Code Review, term to expire January, 1992	303
427	Masloff, Sophie	Informing Council of the re-appointment of William T. Coleman, to the Board of Code Review, term to expire January, 1992	303

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
428	Masloff, Sophie	Informing Council of the re-appointment of Matthew Begis, Covert & Cooper Elevator Company, to the Board of Code Review, term to expire January, 1992	303
429	Masloff, Sophie	Informing Council of the re-appointment of Bernard Liff, to the Board of Code Review, term to expire January, 1992	304
467	Masloff, Sophie	Informing Council of the appointment of Andrew Clayton Hughey, as a member of the Civil Service Commission, term to expire concurrent with the Mayor's term of office	346
882	Masloff, Sophie	Informing Council of the appointment of Randal Forrester Human Relations Commissions, term effective immediately and to expire July, 1994	811, 840
883	Masloff, Sophie	Informing Council of the appointment of Reverend Roger Ferlo to the Human Relations Commission, term effective immediately and to expire July, 1994	811, 841
1255	Masloff, Sophie	Returning veto Bill No. 789 - Ordinance amending PC Title Six, Article One, prohibiting cigarette vending machines	1092
806	Masloff, Sophie	Informing Council of the appointment of Dawn Botsford as Director of the Department of Water	724, 737
807	Masloff, Sophie	Informing Council of the appointment of Louis Dinardo as Director of the Department of General Services	724, 748
724	Masloff, Sophie	Informing Council of the appointment of Dr. Herman Reid, Director of Need, to Housing Authority of the City, term to expires October, 1995	637
725	Masloff, Sophie	Informing Council of the appointment of Councilman Jake Milliones, to URA Board, term effective immediately and to expire December, 1994	637

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
726	Masloff, Sophie	Informing Council of the appointment of Eugene Ricciardi to the Pittsburgh Water and Sewer Authority, term effective immediately and to expire January, 1994	638
727	Masloff, Sophie	Informing Council of the appointment of Deborah Miskovich to City Magistrate term effective immediately and to expire January, 1991	638, 656
728	Masloff, Sophie	Informing Council of the appointment of John Zottola to City Planning Commission, term effective immediately and to expire January, 1994	638, 688
729	Masloff, Sophie	Informing Council of the appointment of John Zottola to Board of Adjustment, term effective immediately and to expire January, 1991	638, 688
730	Masloff, Sophie	Informing Council of the appointment of Linda Brown to the Board of Water Assessors	638, 664
731	Masloff, Sophie	Informing Council of the appointment of Barbara Danko to the Board of Water Assessors	638, 667
732	Masloff, Sophie	Informing Council of the appointment of Laverne Wheeler to the Minority and Women Business Enterprise Review Committee, term effective immediately and to expire April, 1992	638, 668
733	Masloff, Sophie	Informing Council of the appointment of Rich Bellasario to the Minority and Women Business Enterprise Review Committee, term effective immediately and to expire April, 1992	638, 668
961	Masloff, Sophie	Returning her veto Council Bill No. 784 - granting the University of Pittsburgh a license to construct telephone and electrical conduits	839
972	Masloff, Sophie	Informing Council of the re-appointment of Moira Harrington as City Magistrate for a term to Expire January, 1993	812, 863

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
1747	Masloff, Sophie	Returning Veto on Bill No. 1391 An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1584
1865	Masloff, Sophie	Appointing Susan Ruffner as a City Magistrate for a term effective immediately and to expire January of 1995	1654, 1689
1866	Masloff, Sophie	Reappointing Linda Cobb as a City Magistrate for a term effective immediately and to expire January of 1994	1655
1867	Masloff, Sophie	Reappointing Donald Turner as City Magistrate for a term effective immediately and to expire January of 1993	1655
1868	Masloff, Sophie	Reappointing Reverend Ronald P. Lengwin as an at-large member of Pittsburgh Cable Communications Advisory Committee for a three year term to expire December 31, 1993	1655
1869	Masloff, Sophie	Reappointing Hedda Sharapan as an at-large member of the Pittsburgh Cable Communications Advisory Committee for a three year term to expire December 31, 1993	1655
1870	Masloff, Sophie	Reappointment of Sherman Wellons as an at-large member of the Pittsburgh Cable Communications Advisory Committee for a three year term to expire December 31, 1993	1655
1871	Masloff, Sophie	Reappointment of Michael P. Brady as an at-large member of the Pittsburgh Cable Communications Advisory Committee for a term to expire December 31, 1993	1655
1872	Masloff, Sophie	Reappointment of Paul H. Bethel as an at-large member of the Pittsburgh Cable Communications Advisory Committee for a term to expire December 31, 1993	1655

COMMUNICATIONS

MISCELLANEOUS

BILL NO.	SPEAKER	SUBJECT	PAGE
652	Perry, Michael	Submitting the first quarter travel reports from the various City departments for the date ending March 31, 1990	570
206	Perry, Michael	Submitting list of names of elected officials and City employees who attended the State Ethics Seminar	152
207	Perry, Michael	Submitting the 1989 Fourth Quarter Travel Report	152
1636	Perry, Michael	Submitting the Third Quarterly Travel Report for 1990 from various departments	1429
542	Public Parking Authority	Submitting the Authority's list of personnel as of January 1, 1990	422
176	Washington, David	Submitting an alphatabetical listing of Housing Authority employees	123
80	Whitmer, George	Submitting "Position and Salary Report" for Urban Redevelopment Authority	62
1254	Whitmer, George	Submitting the position and Salary Report as of June 30, 1990	1092

COMMUNICATIONS

TRAVEL REQUEST **CITY COUNCIL'S OFFICE - MICHAEL COYNE**

BILL NO.	SPEAKER	SUBJECT	PAGE
446	Galisin, Doris	WordPerfect Seminar, April 27, 1990, at the Westin William Penn Hotel, Pgh. \$125.00	343

COMMUNICATIONS

TRAVEL REQUEST
CITY COUNCIL'S OFFICE - JIM FERLO

BILL NO.	SPEAKER	SUBJECT	PAGE
412	McLaughlin, Irene Hook, Carolyn	Planning for Preservation: Managing Growth in Urban Areas, March 22-23, 1990 \$310.00	301
1340	McLaughlin, Irene	Mediation training workshop East Liberty Branch of Car- negie Library, August 30th \$125.00	1228

COMMUNICATIONS

TRAVEL REQUEST
CITY COUNCIL'S OFFICE - DUANE DARKINS

BILL NO.	SPEAKER	SUBJECT	PAGE
1284	Johnson, Burma Williams, Patricia	National League of Cities Staff Conference for City Hall Professionals in Fort Lauderdale, Florida, \$2,200.00	1201

MOTIONS

ADJOURN

SPEAKER	SUBJECT	PAGE
Madoff	Tuesday January 2, and meet again on Tuesday January 9, at 10:00 P.M. for the Legislative Meeting of Council	21

MOTIONS

ADMINISTRATION

SPEAKER	SUBJECT	PAGE
Coyne	That Council send letters to URA Water and Sewer Authority, and Equipment and Leasing Authority concerning residency of it's members to be in the City	138
Ferlo	The Administration to hold off awarding The Pittsburgh Zoo Concessionaire	52
Ferlo	Jack Wagner and Mr. Mistick be ap- pointed to the County Board of Com- missioner	406
Ferlo	Administration to appeal a court decision on Resolution No. 78 - asphalt to other municipalities	1216
Ferlo	Information from the Administration concerning the Mayor's Complaint Center	1277
Ferlo	Information from the Administration regarding changes in personnel	1574
Madoff	The Administration to appear before in front of Council to brief them on the City Pension Plans	141
Madoff	The briefing with the Admininstration on the City Pension Plans be on Cable	142
Madoff	The Administration for figures for an assessment to each tax-free entity	289
Madoff	Meeting between Council and Administra- tion to update tax reforms happenings refunds issued to senior citizens	785
Madoff	A series of meetings between Council and the Administration previous to the budget concerning budget issues	948

MOTIONS

AMENDMENTS

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 1763 - Cooperation Agreement with URA, the County of Allegheny and Public Parking Authority for development of CSX, 1st Ward	1706
Coyne	Bill No. 1498 - An Ordinance Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1649
Coyne	Bill No. 1718 - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1680
Coyne	Bill No. 1718 - Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1682
Ferlo	Bill No. 1234 - Cooperation Agreements between the City and Housing Authority of the City, to become law upon the signature of the Mayor	1187
Ferlo	Bill No. 637 - An Ordinance Title One Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1467
Ferlo	Bill No. 1811 - Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1642
Ferlo	Bill No. 1696 - An Ordinance Title Five Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1673
Ferlo	Bill No. 1743 - Fixing the number of officers and employees of all departments of the City and the rate of compensation beginning January 1, 1991	1690
Madoff	Bill No. 694 - Title One - Administrative Article VII - Procedures Chapter 161 - Contracts, by amending Section 161.05	707
Madoff	Bill No. 637 - An Ordinance Title One Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1458

MOTIONS

AMENDMENTS

SPEAKER	SUBJECT	PAGE
Madoff	Bill No. 637 - An Ordinance Title One Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1459
Madoff	Bill No. 637 - An Ordinance Title One Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1464
Madoff	Bill No. 637 - An Ordinance Title One Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1465
Madoff	Bill No. 1811 - Agreement Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1642
Milliones	Bill No. 1742 - Making appropri- ations to pay the expenses of con- ducting public business of the City for meeting Debt Charges beginning January 1, 1991	1689
Ricciardi	Bill No. 637 - Title One - Adminis- trative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1521

MOTIONS

APPEAR BEFORE COUNCIL

SPEAKER	SUBJECT	PAGE
Coyne	Bill No. 190 - Appointment Kellen McClendon, Law Department, member of Housing Authority effective immediately	138
Ferlo	Bill No. 37 - Appointment of Mary Conturo, City Solicitor Law Department, effective February 1, 1990	31

MOTIONS

APPROVAL OF APPOINTMENTS

SPEAKER	SUBJECT	PAGE
Coyne	Bill No. 88 - Appointing Jim Ferlo to the Housing Authority of the City of Pittsburgh to complete the term previously held by Ben Woods	101
Coyne	Appointees Robert Wilburn, Water and Sewer Authority, Mary Conturo, City Solicitor be present at the Wednesday Meeting, January 10, 1990	31
Darkins	The appointment of Gene Ricciardi to the Water and Sewer Authority	639
Ferlo	Joan Ivey and Ralph R. Alster, re-appointees to the Historic Review Commission, in front of Council Wednesday, February 28, 1990	285
Madoff	The appointment of John J. Sciullo to the URA Board and Willard C. Shiner to the City Planning Commission	944
Madoff	Bill Nos. 1866 thru 1872 - appointments of Linda Cobb, Donald Turner, Reverend Ronald P. Legwin, Hedda Sharapan, Sherman Wellons, Michael P. Brady and Paul H. Bethel as City Magistrates and at-large members of the Pittsburgh Cable Communications Advisory Committee	1655
Madoff	Re-approve Michael Perry and Linda Johnson-Wasler to City Clerk and Assistant City Clerk	466
Madoff	Bill No. 36 - Appointment of Robert Wilburn, Member of the Pittsburgh Water and Sewer Authority	38
Madoff	Bill No. 37 - Appointment of Mary Conturo, City Solicitor Law Department	39
Milliones	Bill No. 1896 - lease agreement 100 Grant Street between the City of Pittsburgh Landlord, and the County of Allegheny Tenant	1709
Milliones	The re-appointment of Joseph Rhodes to the Public Utility Commission	640
Milliones	Randal G. Forrester to Human Relations Commission for term effective immediately and to expire July, 1994	840

MOTIONS

APPROVAL OF APPOINTMENTS

SPEAKER	SUBJECT	PAGE
Milliones	Reverend Roger a. Ferlo to Human Relations Commission for a term effective immediately and to expire July, 1994	841
Regan	The appointment of Loius DiNardo to the Department of General Services	749

MOTIONS

CABLECAST HEARINGS

SPEAKER	SUBJECT	PAGE
Ferlo	Public Hearing on the prevailing rate on Tuesday, April 24th	554
Ferlo	Public Hearing on hunger and access to food	554
Ferlo	The Public Hearing on Bill No. 886 - Adopting and approving the 1990 Capital Budget and CDBG Program, Perry North Senior Center be televised	988
Madoff	Televis the cigarette vending machine hearing	879

MOTIONS

EFFECTIVE DATE OF LEGISLATION

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 1342 - Warrant in favor of Mary and Malachy Reddy, \$1,140.68 become effective the day the Mayor signs it	1261
Cohen	Bill No. 1304 - URA and Kevin E. and Adrienne Cooper, \$60,850.00 from Neighborhood Housing Fund become law the day the Mayor signs it	1298

MOTIONS

EFFECTIVE DATE OF LEGISLATION

SPEAKER	SUBJECT	PAGE
Cohen	Bill Nos. 1696, 1716, 1718 and 1719 be effective January 1, 1991	1687
Cohen	Bill Nos. 1572, 1573, 1757, 1760, 1761, 1762 and 1763 be effective on the date the Mayor signs them and Bill Nos. 1629, 1742, 1743 and 1744 be effective January 1, 1991	1709
Darkins	Effective Date of Bill No. 989 - grant unto David Sell the license to construct a sanitary sewer on Frazier Street, 4th Ward, be the same day the Mayor signs it	936
Ferlo	Bill Nos. 993 and 994 - contract for disposition of Land by URA and David and Sandra Sell and publicly owned property Block and Lot 29H-46 be effective the day the Mayor signs it	937
Ferlo	Bill No. 1896 - lease agreement 100 Grant Street between the City of Pitts- burgh Landlord, and the County of Allegheny Tenant be effective the day the Mayor signs it	1710
Milliones	The effective date for Bill No. 847 be the date on which it is signed by the Mayor	796

MOTIONS

HELD LEGISLATION

SPEAKER	SUBJECT	PAGE
<i>Ferlo</i>	<i>Bill No. 89 - Supplementing Rule X of the Rules of Council, for one week</i>	153
<i>Ferlo</i>	<i>Bill No. 89 - Supplementing Rule X of the Rules of Council</i>	186
<i>Ferlo</i>	<i>Bill No. 89 - Supplementing Rule X of the Rules of Council for two weeks</i>	186
<i>Ferlo</i>	<i>Bill Nos. 285 and 386 - re-appointments of Joan Ivey and Ralph Alster, members of the Historic Review Commission</i>	304
<i>Madoff</i>	<i>Bill No. 163 - Agreement with Agencies for professional services in connection with collection of delinquent taxes, for one week</i>	189
<i>Madoff</i>	<i>Bill No. 229, until Council has the Fire Chief and the Purchasing Dept. to explain the Bill</i>	274
<i>Madoff</i>	<i>Bill No. 314 - Agreement for the Zoo Master Implementation for \$70,000.00, for a week</i>	328
<i>Madoff</i>	<i>Bill Nos. 727 and 730 appointments of Deborah Miskovich and Linda Brown</i>	665
<i>Madoff</i>	<i>Bill No. 787 - transfer \$29,000 from Code Account 46, Judgements to Code Account 1103, Misc. Services, Dept. of City Planning, for one week</i>	755
<i>Ricciardi</i>	<i>Bill No. 421 - City Council District Office facilities, \$45,000.00</i>	396
<i>Ricciardi</i>	<i>Bill No. 172 - The Steel Valley Authority for agenda February 14, 1990</i>	187

MOTIONS

LETTERS SENT

SPEAKER	SUBJECT	PAGE
Cohen	A letter to be sent to Director of City Planning asking that the study on historic designation be completed in a more reasonable time period	945
Cohen	A letter be sent to Director of City Planning asking that the study on historic designation be an expeditious process	946
Coyne	That Council send letters to URA Water and Sewer Authority, and Equipment and Leasing Authority concerning residency of it's members to be in the City	138
Coyne	Letter to be sent to Director Sciulli concerning the construction of No. 6 Station in Squirrel Hill	877
Coyne	Letter to PennDOT concerning Second Avenue situation	1298
Coyne	A letter be sent to the Governor and Budget Secretary saying Council supports South Side electric furnaces and Hays Ammunition Site	1687
Ferlo	Council to send a letter to the PUC asking them to hold a public hearing concerning rate hike	366
Ferlo	A letter be sent to Duquesne Light to hold their annual stockholders meetings in Pittsburgh	550
Ferlo	Council send a letter urging The Croation Fraternal Union of America and The Three Rivers Arts Festival get together and resolve the issue of the Steelworker Statue	765
Ferlo	Council communicate to the organizers of the Three Rivers Arts Festival for the purposes of asking them to meet with the Croation Fraternal Union and others who have expressed opposition to the ethnic slur of the Steelworker Statue	767
Ferlo	Letter to Planning Commission and/or the Director Parking Authority Director regarding Shadyside Parking Garage	1143

MOTIONS

LETTERS SENT

SPEAKER	SUBJECT	PAGE
Madoff	Letter go the Law Department on what the proper procedure is to reappointment on authority	243
Madoff	Mike Perry sent a letter to Administration and ask what the next step is to make the Ethics Commission workable	813
Madoff	Letter be sent to the Administration requesting US Air concerning Frequent Flyer trips	880
Madoff	Letter be sent to administration regarding appointments to the Personnel Appeals Board	1073
Madoff	Letter set to PennDOT under a Wallace Act for emergency repair for Grandview to Burma Road	1298

MOTIONS

MEETINGS CHANGED

SPEAKER	SUBJECT	PAGE
Milliones	Rescheduling Tuesday's meeting to Monday April 9, 1990	479
Milliones	Change Tuesday's meeting to Monday May 14, 1990 at 2:00 PM	646

MOTIONS

MISCELLANEOUS

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 637 - Ordinance Title One Administrative, Article XI - Personnel by adding Chapter 196 Code of Public Conduct, to the Mayor for her recommendation	568

MOTIONS

MISCELLANEOUS

SPEAKER	SUBJECT	PAGE
Coyne	That Council send letters to URA Water and Sewer Authority, and Equipment and Leasing Authority concerning residency of it's members to be in the City	138
Coyne	Councilmembers take a tour of the Streets Run area to see the problem	365
Darkins	Bill Nos. 736, 737, and 738 - Long term agreement with Alcosan with North Fayette Township, Oakdale and McDonald Borough	718
Ferlo	Bill No. 293 - Neighborhood Legal Services to be sent the NLS and City Solicitor	167
Ferlo	Council be supportive of the commun- ity to Mr. Rossi, Manager of the A-Plus MiniMart store, be closed during evening and early morning hours	367
Ferlo	Join Senator Heinz and Lieutenant Governor Single in the investigation into the practices of the oil com- pany	1143
Ferlo	Urging Councilman Wagner to establish an evening meeting for tax hearing	1498
Ferlo	Bill No. 450 - Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District, back to the Planning Commission	1569
Madoff	Bill No. 314 - Agreement for the Zoo Master Implementation for \$70,000.00, to send back the numbers	328
Madoff	All authorities to provide in addition to the prmanent employees, a list of temporary employees that work for those authorities	370

MOTIONS

MISCELLANEOUS

SPEAKER	SUBJECT	PAGE
Madoff	A copy of Bill No. 1425 - Supporting Allegheny County in it's endeavor to secure immediate funding for the Airport Busway sent to Governor, Legislators, Senators and County Commissioners	1286
Madoff	Support for ARCS and senior citizens in their lobbying attacks concerning the budget	1327
Madoff	Bill No. 637 - Title One - Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	1521
Milliones	Join Senators and Congressman to investigate the biggest recipients in the Country	1144
Regan	Keep Larry Kuzmanko as President of the Pittsburgh Marathon	949

MOTIONS

NOMINATIONS

SPEAKER	SUBJECT	PAGE
Coyne	Honorable Jim Ferlo for President of Council	7
Ferlo	Unaimity of the position and election of Councilman Wagner to the Office of President of Council	8
Madoff	Entertaining to close nominations for the President of Council	7
Madoff	To make Jim Ferlo Council President Pro Tempore	21
Milliones	Existing Rules of Council	21
Regan	Honorable Jack Wagner for President of Council	7

MOTIONS

OVERRIDE VETO

SPEAKER	SUBJECT	PAGE
Coyne	The Mayor's veto on Bill No. 1391 - An Ordinance amending Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl	1584
Ferlo	The Mayor's Veto Bill No. 421 - lease for City Council District Office facilities, \$45,000.00	467
Ferlo	Mayor's Veto on Bill No. - 784 - grant- ing the University of Pittsburgh a lic- ense to construct telephone and electri- cal conduit	840
Madoff	The rule that a motion has to be in writing as opposed to orally	845

MOTIONS

POST-AGENDA MEETINGS

SPEAKER	SUBJECT	PAGE
Madoff	A Post-Agenda Meeting to discuss Council's Ethic's Bill	29
Madoff	A post agenda meeting or hearing between Council, Administration and ad hoc group regarding Tax Reform	48
Madoff	Post Agenda to address the monies Council voted for all the fire stations	879
Milliones	Post agenda dealing with problems of hiring minorities in EMS	525

MOTIONS

PROCLAMATIONS

SPEAKER	SUBJECT	PAGE
Darkins	February 1, 1990 be Manford Sales Day in the City	108
Ferlo	Declaring April 10, 1990, as Lt. Colonel Chalres F. Bolden, Jr. Day	487

MOTIONS

PUBLIC HEARINGS

SPEAKER	SUBJECT	PAGE
Coyne	Public Hearing on Bill No. 1692 - M. Berger Land Company certain indoor /outdoor space, 17th Ward 5 year term for conducting tow pound activities	1596
Ferlo	Council to send a letter to the PUC asking them to hold a public hearing concerning rate hike	366
Ferlo	Public Hearing on the prevailing rate on Tuesday, April 24th	554
Ferlo	Public Hearing on hunger and access to food	554
Ferlo	A Public Hearing on Bill No. 886 - Adopting and approving the 1990 Capital Budget and CDBG Program, Perry North Senior Center	987
Ferlo	The Public Hearing on Bill No. 886 - Adopting and approving the 1990 Capital Budget and CDBG Program, Perry North Senior Center be tele- vised	988
Ferlo	Public hearing on the revised smoking vending machine ordinance	1145
Madoff	Public Hearing on people who don't have medical care	1357

MOTIONS

RECESS

SPEAKER	SUBJECT	PAGE
Coyne	The meeting because of the Fire Alarm	48
Madoff	This meeting Tuesday February 13, 1990 and meet again Wednesday February 14, 1990 for the standing committee meeting, due to the death of Michael Coyne's father	213

MOTIONS

RECOMMIT

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 497 - Ordinance PC Title Eight and Bill No. 498 - Ordinance PC Title Ten	478
Cohen	Bill No. 1477 - Agreement Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1408
Coyne	Bill No. 358 - Transfer \$175,000.00 From Code Account 1154-1, Rental of Motorized Equipment to Code Account 59, Carnegie Library of Pittsburgh, Dept. of General Services	347
Ferlo	Bill No. 89 - Supplementing Rule X of the Rules of Council	185
Ferlo	Bill Nos. 148 and 149 - application of Dept. of Community Affairs on the GNC property	203
Ferlo	Bill No. 448 - Contract with Bloom- field Garfield Corporation, repair of Veteran's Honor Roll Monument	403
Ferlo	Bill No. 788 - Agreement with Westside Community Development Corporation, \$29,000	761
Ferlo	Bill No. 953 - Patrick Media Group, Inc., POA Company, BloomfieldGarfield Corporation, the Bellefield Area Citi- zens Association and Polish Hill Civic Association for construction of bill- boards of the Bloomfield Bridge, \$24,549.50	930
Ferlo	Bill No. 1565 - Transfer \$363,000.00 From Code Account CC, Community Commu- nications to the General Fund, Bureau of Cable Communications	1482
Ferlo	Bill No. 1585 - Warrant in favor of Mellon Bank Corporate Trust Admin. \$32,591.91	1483
Ferlo	Bill No's. 1674 & 1675 - Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy and Jointly owned property, 26th Ward to the School District of Pittsburgh in connection with Perry Traditional Academy	1589

MOTIONS

RECOMMIT

SPEAKER	SUBJECT	PAGE
Madoff	Bill No. 41 - 1061/1990 decreasing line item HA-345 \$39,000.00 and Bill No. 42 increasing line item CP-468 \$39,000.00	91
Madoff	Bill No. 413 - American Rent-A-Ride Inc. \$2,328.18	389
Milliones	Bill No. 892 - Establishing a trust fund as the EFRWD for Governmental Agencies	866
Ricciardi	Bill No. 253 - Lease with Neville Ice Areana, Inc. management of the South Side Ice Rink	275

MOTIONS

TABLED

SPEAKER	SUBJECT	PAGE
Cohen	Bill No. 1113 - Agreement with Carriage House Children's Center, Inc., Various Accessibility Improvements, \$100,000.00	1239
Ferlo	Bill No. 1228 - Appointment of John DeSantis to the Historic Review Commission	1097
Ferlo	Bill Nos. 1291 and 1293 - grants to Bell Telephone Company	1266

MOTIONS

UNTABLED

SPEAKER	SUBJECT	PAGE
Regan	Bill Nos. 1118, 1240, 1184, 1176, 1250 and 1251	1209

ORDINANCES

PITTSBURGH CODE **TITLE ONE - ADMINISTRATIVE**

BILL NO.	SUBJECT	PAGE
361	Title One "Administrative, Article VII, "Procedures Chapter 161 "Contracts"	262, 631
570	Title II Fiscal, Article I, administrative, Chapter 201, Registration of Tenants	466, 539
637	Title One - Administrative, Article XI - Personnel adding Chapter 196, Code of Public Conduct	568, 1456, 1522
694	Title One - Administrative Article VII - Procedures Chapter 161 - Contracts, by amending Section 161.05	628, 707
893	Title One - Administrative Article IX - Boards, by adding Chapter 180, Pittsburgh Food Police Commission	829
1170	Title One - Administrative, Article IX, Boards, Commissions and Authorities, Chapter 174, Vacant Property Review Committee	1047, 1181
1305	Title One - Administrative, Article XI, Personnel, Chapter 181, General Provisions	1204, 1254
1679	Title One - Administrative, Article XI - Personnel, Chapter 197, Code of Conduct, Pittsburgh Ethics Hearing Board	1520, 1563
1766	Title One - Administration, Article VII, Procedures, Chapter 161, Contracts Bid and Performance Bonds	1609, 1646
1767	Title One - Administration, Article VII, Procedures Chapter 161, Contracts Competitive Bidding	1609, 1646

PITTSBURGH CODE **TITLE TWO - FISCAL**

BILL NO.	SUBJECT	PAGE
643	Title Two - Fiscal, Article I - Administration, Chapter 213 - Investment and Divestment, and Article III - Depositories Chapter 221	569, 632
651	Title Two - Fiscal, Article IX, Property Taxes, Real Property Tax Section 263.02, Payment Options	570, 669

ORDINANCES

PITTSBURGH CODE TITLE TWO - FISCAL

BILL NO.	SUBJECT	PAGE
1032	Title Two - Fiscal, Article IX, Property Taxes, Chapter 263, correcting date when the first quarter payments are due	894, 968
1530	Title Two - Fiscal Article VII, Business Related Taxes, Chapter 241, Amusement Taxes	1376, 1430
1581	Title Two - Fiscal, adding new Chapter 212, "Tax, Water Charges and/or Municipal Claims Certificates	1404
1619	Title Two - Fiscal, Article VII, Business-Related Taxes, Chapter 256, Home Rule Realty Transfer Tax	1427
1620	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 243, Business Privilege Tax	1427
1621	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 247, Institution and Service Privilege Tax	1427
1622	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 253, Parking Tax	1428
1623	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 241, Amusement Tax	1428
1624	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 245, Earned Income Tax	1428
1625	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 249, Mercantile License Fees	1428
1626	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 251, Occupation Privilege Tax	1428
1627	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 255, Realty Transfer Tax	1428
1628	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 261, Personal Property Tax	1428
1629	Title Two - Fiscal, Article VII, Business Related Taxes Chapter 263 Real Property Tax	1428, 1692
1676	Title Two - Fiscal, Article I, Administrative, Chapter 201, City Treasurer, Deposits, Reports, Accounts and Withdrawals	1520, 1593

ORDINANCES

PITTSBURGH CODE
TITLE THREE - WATER

BILL NO.	SUBJECT	PAGE
1574	Title Three - Water, Article I, Administration, Chapter 303, Board of Water Assessors	1403
1582	Title Three - Water, Article I, Administration, Chapter 301 Definitions, adding new Sections relative to Payment Agreements Limitation of Liability and Previous Unbilled Water Usage	1404
1590	Title Three - Water, Article I, Administration, Chapter 303, Board of Water Assessors changing title to read Water Accounts Receivable Advisory Committee	1406

PITTSBURGH CODE
TITLE FOUR - PUBLIC PLACES AND PROPERTY

BILL NO.	SUBJECT	PAGE
1235	Title Four - Public Places and Property, Article VII, City Realty by adding a New Chapter, 452, City Owned Property	1089
1235	Title Four - Public Places and Property, Article VII, City Realty, by adding new Chapter 452, City Owned Property	1305
1694	Title Four - Public Places and Property, Article I, Streets and Sidewalks Chapter 415.01(B) Permit and Bond Required Section 415.02(A) Permit Fee-Basis of Measurements; Chapter 416 Obstructions, Section 416.02 Permit Fees for Minor Street Obstructions Section 416.04 Permit Fees for Street Encroachments and Major Street Obstructions	1543, 1623

ORDINANCES

PITTSBURGH CODE TITLE FIVE - TRAFFIC

BILL NO.	SUBJECT	PAGE
1715	Title Five - Traffic, Article III-Towing Chapter 523 by setting fees	1546, 1628
1850	Title Five - Traffic, Article I - Adminis- tration, Chapter 503 Enforcement Section 503.12 Truck Routes, Section 503.20 Penalty, \$300.00	1632

ORDINANCES

PITTSBURGH CODE TITLE SIX - CONDUCT

BILL NO.	SUBJECT	PAGE
315	Article V - Discrimination, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices by prohibiting discrimination on the basis of sexual orientation	229, 382
638	Title Six - Conduct Article V - Discrimination, Chapter 651 Findings and Policy and Chapter 657 - City Contracts	568, 636
789	Title Six - Conduct Article I Chapter 601 Public Order	687, 1021
848	Title Six - Conduct, adding a new Chapter 606- River Safety Boating	780, 918
1087	Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing Article VII	963, 1170
1237	Title Six - Conduct Article I, Regulated Rights and Actions, chapter 601, Public Order	1090, 1320
1323	Title Six - Conduct, Chapter 606, River Safety Boating, adding Section 606.10	1202, 1233
1391	Title VI - Conduct, Article III, Dogs and other animals Chapter 635, Other Animals and Fowl	1288, 1486
1593	Title Six - Conduct, Article III, Dogs and Other Animals, Chapter 631, Animal Bites, adding a new Section 631.01, Penalty and Violation	1406
1594	Title Six - Conduct, Article III, Dogs and Other Animals Chapter 635, Other Animals and Fowl Section 635.04, Litter Registration, Limits	1406

ORDINANCES

PITTSBURGH CODE
TITLE SIX - CONDUCT

BILL NO.	SUBJECT	PAGE
1595	Title Six - Conduct, Article III, Dogs and Other Animals Chapter 633, Dogs	1406

PITTSBURGH CODE
TITLE SEVEN - BUSINESS LICENSING

BILL NO.	SUBJECT	PAGE
1498	Chapter 719 - Vendors and Peddlers, Providing Regulations for Signs Increasing Fees	1371, 1649
1716	Title Seven - Business Licensing, Articles I, III, V, VII, IX, Chapters 701.16, 713, 715, 717, 719, 721, 723, 745, 763, 765, 771, 773, 777 and 779	1546, 1685
1745	Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven, Business Licensing, Article VII, Service Businesses Licensing, Article VII Amending No. 17/1990	1583, 1636

PITTSBURGH CODE
TITLE EIGHT - FIRE PREVENTION

BILL NO.	SUBJECT	PAGE
497	Title Eight - Fire Prevention, Chapter 801 - Adoption and Enforcement, Section F-702.0, F-704.0, F-702.4.1 and F-704.1.1	381, 478, 518

PITTSBURGH CODE
TITLE NINE - ZONING

BILL NO.	SUBJECT	PAGE
19	Article V, Chapter 987, Signs, location of roof type business and identification signs in "C3", "C4", and "A1" commercial type zoning districts	26, 309

ORDINANCES

PITTSBURGH CODE TITLE NINE - ZONING

BILL NO.	SUBJECT	PAGE
96	Title Nine, Zoning to the "SP-2" Herr's Island Specially Planned Zoned District revising the listing of preferred use	109, 425
592	Title Nine - Zoning, Article III, Chapter 921, Ridge Avenue, Allegheny Avenue and North Lincoln Avenue	491
593	Title Nine - Zoning, Article III, Chapter 921, Allegheny Avenue Downton Way, Rope Way, Western Avenue	491
640	Title Nine - Zoning, Article III, Chapter 921, Section 921.02 Zoning District Map No. 17	568, 905
693	Title Nine - Zoning, Article V Chapter 987 "Signs" by creating "Neighborhood Business District Sign Regulations"	627, 905
812	Title Nine - Zoning by Revising Chapter 909 - Regulations governing the Board of Adjustment granting Special Exceptions for the Use of Land and the erection	735, 1310
866	Title Nine - Zoning, Article III, Chapter 921, Grandview Avenue and Plymouth Street, Oneida Street, 19th Ward	793
867	Title Nine - Zoning, Article III, Chapter 921 Zoning District Penn Avenue, Ligonier Street, 6th Ward	793, 1127
1097	Title Nine - Zoning, Article III, Chapter 921, Becks Run Road and Bajo Street, 16th Ward	965
1168	Title Nine - Zoning, Article III, Chapter 921, Zoning District Maps No'd, \$270,000.00	1046, 1386
1169	Title Nine - Zoning, Article IV, Planned Deve- lopment Districts, Chapter 973, Herr's Island and Washington's Landing	1047, 1386
1306	Title Nine - Zoning, Article III, Section 921.02, Zoning District Map No. 5 by changing From "S" Special District and "C3" Commercial District Perrysville Avenue, Mairdale Street and Semicir Street, 26th Ward	1204, 1571
1307	Title Nine - Zoning, Article III, Section 921.02, Zoning District Map No. 12 South Nineteenth Street, Merriman Way, South Eighteenth Street and Monongahela River, 17th Ward	1204, 1412

ORDINANCES

PITTSBURGH CODE
TITLE NINE - ZONING

BILL NO.	SUBJECT	PAGE
1432	Title Nine - Zoning, Article III, Chapter 921 Section 921.02, Zoning District Map No. 7, changing "R4" Multiple Family Residence District and "C3" Commercial District to "RP" Residential Planned Unit Development District	1302, 1572
1433	Title Nine - Zoning, by providing definitions for heliports as Conditional Use Exception	1302, 1637
1572	Title Nine - Zoning District Map No. 7 changing from "M3" to "SP-3", Second Avenue, Tenth Street Bridge, 1st Ward	1403, 1697
1573	Title Nine - Zoning, Chapter 973 "SP Specially Planned Districts" by creating a new district "SP-3 Public Safety Complex - Specially Planned District No. 3"	1403, 1698
1691	Title Nine - Zoning, Article III, Chapter 921.02, Zoning District Map No. 11 by changing: From "R5-H" Multiple Family Residence District to "C3-H" Commercial District Centre Avenue and Commerce Street	1542
1695	Title Nine - Zoning, Article III, Chapter 921, Section 921.02 Zoning District Map No. 12 by changing: From "I-C" Institutional-Civic District to "C4" Commercial District, Forbes Avenue, Craft Avenue, Fifth Avenue, Halket Street, and Craft Avenue	1543
1696	Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, \$10.00 and 20.00	1543, 1673

ORDINANCES

PITTSBURGH CODE TITLE TEN - BUILDING

BILL NO.	SUBJECT	PAGE
498	Title Ten - Building Chapter 1007-BOCA National Building Code Adoption Article 3 - Use Group Classification, sections 304.0, 304.1, 307.0, 307.3.1, Chapter 1007 - BOCA National Building Code Adoption, Article 5 - General Building Limitations	381, 478, 518
1589	Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire Prevention, 1990 Edition and a new Title Ten - Building 1990 Edition	1405, 1653

AGREEMENTS

COOPERATION

BILL NO.	SUBJECT	PAGE
736	ALCOSAN and North Fayette to en large the area serviced by the Sanitary Authority	651, 718
510	Carnegie Institute in connection with Scheduled Asbestos Abatement Program, \$125,000.00	416, 523
512	Carnegie Library (The Carnegie) in connection with the Central Branch Rehabilitation, \$125,000.00	417, 523
511	Carnegie Library in connection with Miscell- aneous Renovations to Various Branches, \$250,000.00	416, 523
1234	City and Housing Authority of the City	1089, 1187
105	Community Human Services, non-profit Organ- ization, \$104,928.77 Amending 995/1978	111, 194
485	Crawford-Roberts Phase I Rental Housing, \$3,200,000.00	379, 499
744	Forbes Public Space Improvements URA, \$250,000 City Bonds Funds as Local Matching Share	652, 758
481	Housing Authority implementation of Community and Social Service Programs in the Public Housing Communities, \$50,000.00	379, 435
1527	Housing Authority of the City, Community and Social Services Programs, \$1,560,000.00	1376, 1438

AGREEMENTS

COOPERATION

BILL NO.	SUBJECT	PAGE
1025	Housing Authority of Pittsburgh implementation of Scholarship Fund, \$5,000.00	893, 980
749	Housing Recovery Program, URA \$800,000.00	
	Home Ownership Program Funds	653, 759
745	Investment Fund with URA, \$325,000.00 Local Matching Share	652, 758
750	Minority Business Development Fund, URA, \$100,000.00, Community Development Block Grant Funds	653, 759
149	Penn Avenue Plaza with URA implementation of \$2,000,000 for grant applied for financial assistance with PA Dept. of Community Affairs	118, 203
747	Pittsburgh Construction Loan Fund, \$200,000 Pittsburgh Home Ownership Program Funds	652, 758
748	Rental Housing Development and Improvement Program, URA, \$1,000,000.00	653, 758
818	Strategy 21 Project Funds, \$150,000.00	736, 798
751	Streetface Program, URA, \$200,000.00 Urban Development Action Grant Repayment	653, 759
63	The Carnegie construction of Relocation of North Shore Drive by \$10,000.00 Amending No. 50/87	59, 163
618	The Carnegie for construction of Relocation of North Shore Drive Stadium Parking Lot #1, \$160,000.00 Amending No. 50/1987	537, 601
1312	Transfer \$3,564.49 by URA of Pgh. to the City to fund Community Development Corporations	1205, 1273
327	URA NBDR-Public Space Improvements	230, 320
884	URA Relocation of Street Rights-of-way in connection with the Reconstruction of Grant Street/Liberty Ave, \$183,800.00 Amending No. 427/1988	828, 984
814	URA to receive funds, \$68,328.56 from the Authority to fund Community Development Corporations	735, 797
326	URA administration of City programs and project, \$490,000.00	230, 320
487	URA for Crawford-Roberts Redevelopment Project to implement Modification No. 2, dated March 1990	380, 499

AGREEMENTS

COOPERATION

BILL NO.	SUBJECT	PAGE
322	URA for Washington's Landing, \$300,000.00	230, 311
991	URA for economic development marketing and promotion services, \$10,000.009	860, 936
323	URA for property acquisitions in connection with reconstruction of Harpen Road, \$200,000.00	230, 315
410	URA for the Crawford Roberts Redevelopment Project	301, 395
150	URA housing improvements in Sullivan Street area of the City, \$35,000.00	118, 205
813	URA in connection with the 1990-1991 CDBG Program, \$7,945,000.00	735, 797
1529	URA of Pittsburgh to undertake streetscape improvements to Fifth Avenue Square Area, \$600,000.00	1376, 1439
1528	URA of Pittsburgh to undertake streetscape improvements to Penn-Liberty Cultural District, \$1,300,000.00	1376, 1439
324	URA undertake streetscape improvements, 5th Avenue, \$600,000.00	230, 316
1670	URA, \$3,398,000.00 with Penna. Dept. of Community Affairs	1518, 1572
746	URA, \$500,000.00, Urban Development Action Grant Local Matching Share	652, 758
1763	URA, the County of Allegheny and Public Parking Authority for development of CSX, 1st Ward	1608, 1706
325	Undertake streetscape Federal Street/Allegheny Center Area, \$100,000.00	230, 319

LEASE

BILL NO.	SUBJECT	PAGE
1446	Dept. of Parks and Recreation with the School District of Pittsburgh, 14th Ward	1304, 1389
1365	URA for property in the 12th Ward	1252, 1319

AGREEMENTS

LICENSE

BILL NO.	SUBJECT	PAGE
1445	License Agreements The Salvation Army as Re-creation Cener, \$13,000.00	1304, 1388

SUPPLEMENTAL

BILL NO.	SUBJECT	PAGE
309	Consultant Construction Inspection Services for Various City Projects, \$260,000.00	228, 327
885	Consultant for Design Services in connection with the Reconstruction of Arlington Avenue Amending No. 203/1989	828, 921
1149	Consultant in connection with design of golden Triangle Computerized Traffic Signal System Amending No. 310/80	1043, 1191
107	Pittsburgh Neighborhood Alliance \$9,750.00 Amending No. 413/1980	111, 195
112	Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project, \$34,619.86 Amending No. 376/1977	112, 195

AGREEMENTS

BILL NO.	SUBJECT	PAGE
738	ALCOSAN and McDonald Borough	651, 718
737	ALCOSAN and Oakdale Borough to enlarge the area serviced by the Sanitary Authority	651, 718
1124	ARC House, Inc., rehabilitation of their facility, \$125,000.00	1006, 1130
1806	Accounting firm providing for professional auditing services in connection with the JTPA, \$34,000.00	1615, 1666
762	Actuarial firm to provide actuarial services for the City, for three years, \$100,000.00	654, 717
128	Advanced Technology Center, Mellon-Pitt-Carnegie Corporation for funding support of the Center, \$23,110.52 Amending No. 495/1983	114, 198
1512	Agency or Agencies the Pittsburgh Literacy Initiative, \$33,751.87 Amending No. 566/1988	1373, 1702

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1567	Agent of Change in connection with public education program for recycling, \$576.00	1402, 1489
1448	Airport Area Advisory Commission, \$10,000.00	1305, 1385
1251	Airport Corridor Transportation Association, \$2,000	1092, 1187, 1211
495	Alcoholic Recovery Center, \$5,000.00	381, 477
121	Allegheny Conference on Community Development organization of a community education program in the City, \$8,225.00 Amending No. 1325/1980	113, 197
259	American Waterways Wind Symphony for professional services, \$10,000.00	177, 277
266	Arsenal Board of Trade for professional services, \$3,000.00	178, 278
1710	Bank for professional services in connection with implementation of Visa/Mastercard Payment Program, for traffic court, \$10,000	1545, 1621
1308	Baum/Centre/Ellsworth/Penn Circle Transportation Study, \$60,000.00	1204, 1268
1826	Beechview Area Concerned Citizens, Inc., for restoration of monuments at Broadway Avenue and Shiras Street, \$5,000.00	1618, 1683
457	Bethlehem Haven in relation to services under the Emergency Shelter Grants Program, \$27, 086.00	345, 434
641	Between URA and Friendship Development Associates for financial assistance, \$30,000.00	569, 636
1878	Bidwell Education, Music & Recreation Center, \$3,329.00	1662, 1700
1618	Bidwell Education, Music and Reading Center, \$500.00	1427, 1493
1511	Bidwell Training Center, \$9,991.00 Amending No. 551/1988	1373, 1702
268	Bloomfield Citizens Council for professional services \$3,000.00	178, 279
1697	Bloomfield Citizens Council purchase equipment for Bloomfield Senior Center, \$3,329.00	1543, 1627
947	Bloomfield-Garfield Corporation administrative assistance in running youth-oriented facility, \$20,000.00	836, 915
1023	Borough of Greentree to permit to drain sanitary sewage into the City	893, 978
1777	Borough of Greentree use of their type one landfill at the Parkway West Center Mall	1610, 1670
538	Boys and Girls Club of Western Pennsylvania for professional services, \$10,000.00	421, 504

AGREEMENTS

BILL NO.	SUBJECT	PAGE
269	Brashear Associaton for professional services, \$10,000.00	178, 279
948	CareBreak support for families for handicapped children at home, \$50,000.00	837, 916
1112	Carnegie Library in connection with Improvements for Handicaped Accessibility at the Main Branches, \$593,965.00	1004, 1140
120	Carnegie-Mellon University for indoor recreation facilities, \$9,768.66 Amending No. 731/1980	113, 197
1113	Carriage House Children's Center, Inc., Various Accessiblity Improvements, \$100,000.00	1004, 1235
466	Center for Emergency Medicine of Western Penn- sylvania (CEM) in connection with their Emergency Medical Services, \$42,896.00	346, 437
524	Center for Emergency Medicine of Western Penn- sylvania, \$50,000.00	419, 518
1516	Center for Independent Living, \$40,000.00 Amending No. 445/1983	1374, 1702
167	Center for Victims of Violent Crime professional services, \$30,000.00	121, 208
1876	Center for Victims of Violent Crime, \$3,329.00	1661, 1700
270	Champions Association, Inc., for professional services \$5,000.00	178, 279
648	Church of the Good Shepherd and Shepherd Wellness Community, \$10,000.00	570, 633
1208	City Theatre Company, Inc. for the benefit for City Residents, \$25,100.00	1053, 1189, 1232
280	Civic Light Oera for professional services, \$15,000.00	180, 282
1827	Cleaning of various monuments for the Dept. of Parks & Recreation, \$31,880.00	1618, 1684
147	Close-out with U.S. Department of Housing and Urban Development for Liberty Center Hotel Grant Project	118, 202
163	Collection agencies for professional services in connection with collection of deliquent taxes, \$25,000.00	121, 189, 237
391	Commission of an Artist or the Purchase of Art Work, \$45,000.00	299, 404
1173	Commonwealth Dept. of Community Affairs, \$1,900,000	1047, 1182
811	Commonwealth of PA, Dept. of Transportation Edgebrook Avenue Bridge	735, 810

AGREEMENTS

BILL NO.	SUBJECT	PAGE
331	Commonwealth of PA, Dept. of Transportation, which grants and easement to construct a protection barrier, 19th Ward	231, 307
1171	Community Based Organization for economic development Lawrenceville Citizens Council, Inc., \$68,328.56	1047, 1182
949	Community Based Organizations, Pittsburgh Partnership on Neighborhood Development, \$495,000.00	837, 979
939	Community College of Allegheny County administrative assistance for "Employment Training Program for Special Need Adults, \$10,000.00	835, 914
642	Community College of Allegheny County in connection with City's Summer Employment Project for Special Adult City Residents, \$4,500.00	569, 599
451	Community Human Services in relation to services under Emergency Shelter Grants Program, \$58,368.00	344, 431
1494	Construction of Kennard Pool and Bath House, \$155,413.00 Amending No. 1013/1985	1370
310	Consultant Engineering Services in connection with the Design of Walbridge Street District #2, \$80,000.00	228, 327
314	Consultant architectural services in connection implementation Zoo Master Plan, \$70,000.00	228, 328
594	Consultant evaluation study of Dept. of Public Safety, \$200,000.00	491
835	Consultant for Engineering Services in connection with Rehabilitation of a portion of Ft. Pitt Boulevard, \$94,000.00 Amending No. 1327/1982	777,847
861	Consultant design services in connection with Amending No. 441/1990	792, 877
1233	Consultant computer consulting services relating to existing R-base application, \$20,000.00	1089, 1186
711	Consultant design of a visitor evaluation tool for the Pittsburgh Aviary, \$3,000.00	630, 720
861	Consultant design services in connection with Amending No. 441/1990	792, 877
1079	Consultant design services in connection with the Replacement of the Edgebrook Avenue Bridge, \$50,000	962, 1070
594	Consultant evaluation study of Dept. of Public	491
444	Consultant for Architectural Services in connection with Various City Projects, \$300,000	343, 443

AGREEMENTS

BILL NO.	SUBJECT	PAGE
584	Consultant for Architectural Services in connection with Design of First Avenue Public Space Improvement, \$120,00.00	490, 582
583	Consultant for Design Services in connection with Replacement of the Shadeland Ave. Bridge, \$35,000	489, 546
835	Consultant for Engineering Services in connection with Rehabilitation of a portion of Amending No. 1327/1982	777, 847
982	Consultant for Engineering Services in connection with N.B.I.S. Update Bridge Safety Inspection, \$25,000.00	858, 943
1734	Consultant for Engineering Services in connection with N.B.I.S. Update Bridge Safety Inspection of Fort Pitt Boulevard, \$50,000 Amending No. 755/1990	1581, 1654
442	Consultant for Professional Engineering/Architectural Services in connection with the Design of Clemente Park River Safety Center, \$20,000.00	343, 438
647	Consultant for affixing the Inventory Tags and the Inventory of Capital Equipment, \$85,000.00	570, 633
1758	Consultant for architectural engineering services in connection with Zoo Master Plan \$825,000.00 Amending No. 967/1985	1608, 1686
1808	Consultant for consulting services to assist the City, \$30,000.00	1615, 1667
244	Consultant for development a "complete count census program", \$20,000.00	175, 271
1088	Consultant for payment of services for implementation of the "Map Updating and Land Records Management Program, \$230,000 Amending No. 35/1990	963, 1020, 1069
860	Consultant for preschematic and site planning Architectural Services to Public Safety Building, \$100,000.00	792, 875
1760	Consultant for preschematic architectural services in connection with new Public Safety Building, \$820,000.00 Amending No. 665/1990	1608, 1705
820	Consultant for professional services in connection with study of alternative strategies to lower Amusement Tax, \$25,000.00	736, 796

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1005	Consultant for professional services in connection with arbitrage rebate calculation for the City of Pittsburgh's General Obligation Bond, \$5,000.00	862, 933
1200	Consultant for professional services in connection with validation research of Civil Service, \$40,000.00	1052, 1152
670	Consultant for the Certification of business firms as Minority or Women, \$12,000.00	597
312	Consultant in connection with the Schenley Golf Course Facility Needs Evaluation, \$20,000.00	228, 327
899	Consultant or Vendors assisting the City in preparing a two-way communications process for the purpose of citizen involvement, Six-Year Development program, \$515,000.00	830, 979
895	Consultant or Vendors conducting planning and management studies or related activities, \$390,000.00	830, 906
897	Consultant or Vendors to assist the City in improving its Citizen Participation Process, \$450,000.00 Amending 317/1989	830, 907
1056	Consultant to conduct a study of fire protection services within the City, \$195,000 Repealing No. 731/1989	927, 1131
1506	Consultant to conduct a traffic study of Cal-bride Triangle Area, \$4,200.00 Amending No. 732/1988	1372, 1701
1089	Consultant to provide equipment software for Land Records Management System, \$305,000	963, 1069
51	Consultant/s Citywide training programs for City Employees, \$50,000.00	37
43	Consultant/s for the "Map Updating and Land Records Management Program", \$230,000.00	36, 135
49	Consultant/s to assist the City of Pittsburgh, \$30,000.00	37, 154
97	Consultants Development of training programs for City Staff in Commercial Revitalization /Economic Development HUD-SBA, \$6,978.97 Amending 1053/1985	109, 192
116	Consultants architectural services Main Street commercial revitalization, \$206,714.00 Amending No. 675/1986	112, 196
127	Consultants conduct feasibility study housing development Mt. Washington neighborhood, \$39,500.00 Amending No. 703/1984	114, 198

AGREEMENTS

BILL NO.	SUBJECT	PAGE
900	Consultants design services in various neighborhood business districts part of City's Neighborhood Business District	830, 979
122	Consultants for services for the study of Pittsburgh code of Ordinances Title IX, Zoning, \$49,195.00, Amending No. 1413/1980	113, 197
124	Consultants undertake a study of the City's infrastructure stock, EMS Stations, \$360,000 Amending No. 1029/1985	114, 198
1478	Court Reporter in connection with the taking \$7,000.00	1343, 1409
73	Court Reporter or Reporters, \$3,000.00, taking testimony at Civil Service Commission and Appeals Board hearings	61, 158
1478	Court Reporter in connection with the taking of testimony at Civil Service Commission and Appeals Board, \$7,000.00	1343, 1409
1824	Dept. of Parks & Recreation, Aviary and Phipps Conservatory to effectuate the purchase of animals and plants	1618, 1683
392	Design Services in connection with Reconstruction and Stabilization of Various Retaining Walls, Andover Terrace, Dakota, Pusey, Rubric and Sprain Street, \$100,000.00	299, 404
1497	Design Services in connection with reconstruction of Various Retaining Walls, Dakota Street, Pusey Street, Ruvric Street and Sprain St., \$125,000.00	1371, 1497
1540	Design all displays in winter at Pittsburgh Zoo, \$70,000.00	1378, 1494
1174	Design services associated by Stadium Pedestrian Ramps \$350,000.00	1047, 1182
204	Dickie, McCamey and Chilcote, P.C., legal services \$65,000.00	152, 237
279	Duquesne University for the Duquesne Tamburizans for professional services, \$5,000.00	180, 282
462	East End Cooperative Ministries in relation to services under the Emergency Shelter Grants Program, \$49,319.00	345, 435
104	East Liberty Development, Inc., East Liberty Commercial Support Program, \$49,686.58 Amending No. 1351/1982	110, 194
1575	East Liberty Development, Inc., Enterprise Zone activities, \$110,000.00	1403, 1491

AGREEMENTS

BILL NO.	SUBJECT	PAGE
99	East Liberty Development, Inc., in connection with Commercial Revitalization Program for East Liberty Mall Area, \$61,297.70 Amending No. 697/1979	110, 193
940	Elder-Ado, Inc., operating multi-purpose facility for low income persons, \$20,000.00	836, 914
941	Elizabeth Seton Center administrative assistance for Adult Day Care Program, \$15,600.00	836, 914
126	Engineering Services Chadwick Civic Center, \$9,000.00 Amending No. 1150/1982	114, 198
355	Environmental Improvement Program at Various Locations, \$375,000.00	261, 364
1804	Equibank for one million dollar letter of credit for the City's Workers' Compensation Program	1615, 1666
942	Esplen Senior Citizens Association for assistance in running Food Bank Project, \$10,000	836, 915
1009	Federation of War Veteran's Societies, for the Veterans Day Parade, \$2,500.00	863, 917
1811	Food Banks serving the residents of Pittsburgh to provide services to disadvantaged persons, \$20,000.00	1616, 1642
1832	Friends of The Green and Seldom Seen, \$500.00	1619, 1684
1873	Friendship Development Associates, \$3,329.00	1661, 1700
3256	Fuduciary to establish a Retirees' Pension Fund Amending Resolution No. 690/86 (SPONSORED BY MR. WAGNER)	1415
623	Funding Greater Pgh. Commission for Women, \$25,000.00 Amending No. 36/1990	537, 573
1152	Gannett Fleming Transportation Engineering for Engineering Services in conenction with In-Depth Inspection of Schenley Park Bridge over Panther Hollow, \$25,000.00 Amending No. 707/86	1044, 1192
1151	Gannett Fleming Transportation Engineers for Engineering Services in connection with Street, \$25,000.00 Amending No. 706/86	1044, 1191
977	Gannett Fleming Transportation Engineers in connection with the In-Depth Inspection of Schenley Park Bridge, \$25,000	858, 942
978	Gannett Fleming Transportation Engineers in connection with the In-Depth Inspection of Schenley Park Bridge over Panther Hollow, \$25,000.00 Amending No. 707/1986	858, 942

AGREEMENTS

BILL NO.	SUBJECT	PAGE
943	Garfield Jubilee Association for administrative Support for Community Maintenance Program, \$30,000.00	836, 915
944	Generations Together administrative assistance for youth volunteer services, \$2,000.00	836, 915
931	Golden Carriage, Inc., provide community social services escort service, \$15,000.00	834, 913
1441	Greater North Side Athletic Association, \$1,000.00	1304, 1388
48	Greater Pittsburgh Commission for Women, \$25,000.00	37
1874	Greater Pittsburgh Commission on Women, \$3,329.00	1661, 1700
278	Greenfield Organization for professional services, \$6,000.00	180, 282
1843	Greenfield Organization, Senior Citizen's Food Distribution Program, \$1,109.50	1631, 1698
1566	Group for Recycling in Pennsylvania for services in connection with public education program, \$5,000.00	1402, 1489
1847	H. Yale Gutnick for services rendered to Councilwoman Michelle Madoff, \$507.70	1632, 1692
932	Hazelwood-Glen-Hazel-Glenwood Citizens Council, \$12,000.00	834, 913
950	Health and Welfare Planning Association administrative support for "Commission on Families", \$100,000.00	837, 916
145	Health and Welfare Planning Association support for Commission on Families, \$45,000.00	118, 202
265	Highland Park Community Club, for professional services \$10,000.00	178, 278
1614	Hill District Citizens Development Corporation and URA, \$20,000.00 Amending No. 798/1986	1426, 1492
1130	Hill House Association Uptown Little League, \$1,500.00	1007, 1131
1510	Hill House Community Services, Inc., \$238,668.36 Amending No. 800/1985	1373, 1701
567	Hiring Counsel for representation of the City for outside legal counsel, \$25,000.00	466, 539
1477	Hiring of Counsel to assist in representation of the City of Pittsburgh, \$200,000.00	1343, 1407, 1433
236	Historical Society of Western PA professional services for the City, \$20,000.00	174, 270
1232	Homewood Brushton Stingers, \$1,100.00	1089, 1190
933	Homewood-Brushton Community Improvement Association, \$16,142.00	835, 913

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1125	Homewood-Brushton Community Improvement Assoc- iation, \$7,500.00 Amending No. 698/89	1006, 1130
106	Hunger Action Coalition Penn Avenue Office, \$49,219.34 Amending 786/1985	111, 194
934	Hunger Services Network operating funds for Penn Avenue Office, \$55,000.00	835, 913
144	Hunger Services Network related to Hunger Task Force, \$10,000.00	117, 161
770	Instructor for the Training Academy, \$1,500	656, 761
650	Instructors for the Training Academy, \$15,000.00	570, 637
1678	Instructors to conduct yearly mandatory in- service training for Police Officers' Education & Training Commission, \$15,000	1520, 1596
222	Internship for graduate student for a period of a year perform energy related services to the Dept. of General Services, \$20,000	172, 272
935	Jewish Community Center, operation for scholar- ship program, \$20,000.00	835, 913
937	Jewish Family and Children's Service Center, administrative support to the Agency, \$12,750 Amending No. 290/1989	835, 914
936	Jewish Family and Children's Service Center, administrative support to the Agency, \$13,500.00 Amending No. 289/1989	835, 914
1829	John McGuire Association for professional services in connection with new lighting for Point State Park Fountain, \$25,000.00	1619, 1684
113	K. S. Sweet Associates, Economic Development Planning for Pittsburgh's North Side, \$27,230.00 Amending No. 80/1982	112, 196
125	Kingsley Association of East Liberty for youth counseling program, \$12,592.58 Amending No. 125/1983	114, 198
1199	Laboratory in connection with administration of laboratory testing, \$40,000.00	1052, 1152
264	Laurel Highland Regional Theatre Company, for professional services, \$10,000.00	178, 278
1698	Lawrenceville Citizens Council assit Law- renceville Block Watch Network, \$3,329	1543, 1627, 1641
924	Lawrenceville Citizens Council operating support of their "Housing Information Program", \$5,000.00	834, 912
1513	Lawrenceville Citizens Council, Inc., \$18,692.10 Amending No. 154/1984	1373, 1702

AGREEMENTS

BILL NO.	SUBJECT	PAGE
925	Lawrenceville Development Corporation housing development program, \$14,500.00	834, 912
938	Lawrenceville/Bloomfield Meals on Wheels for maintenance program, \$5,300.00	835, 914
225	Leasing of office space required for the relocation of various occupants of the Public Safety Building, \$1,015,000.00	172, 272
169	Legal Advocacy for Women, AKA Support for professional services, \$7,500.00	121, 208
459	Light of Life Rescue Mission in relation to the services under the Emergency Shelter Grants Program, \$28,000.00	345, 434
110	Local development Corporations neighborhood local development activities Amending No. 444/1983	111, 195
308	Major Revonations of Recreation Centers to Magee Recreation Center District #5, \$200,000.00	228, 327
1413	Management Consulting Firm in the development of an indirect cost allocation plan for the City, \$35,000.00 Amending No. 319/1989	1292, 1344
396	Mayor and Chief Administrative Officer, \$10,000 various contractors with specialized skills in connection with City's Solid Waste Management Program	299, 388
890	Mayor and Director of Dept. of Public Works with Fox Chappel Borough, sewer through properties owned by the City	829
249	Mercer-Meidinger-Hanson, Inc., professional services for pension funds of the City	175, 266
926	Metropolitan Tenants Organizations for housing counseling services low income tenants, \$10,000.00	834, 912
927	Minority Youth Development company administrative support to the Agency "Mentor Relationship with Urban At-Risk Youth" program, \$8,000.00	834, 912
455	Miryam's in relation to services under the Emergency Shelter Grants Program, \$35,000.00	344, 434
928	Mom's House, purchase a building for administrative assistance, \$25,000.00	834, 912
1822	Morla Corporation for the copyright interests payable to Aviary Trust Fund	1617, 1683
929	Mt. Washington Children's Center for site improvement, \$5,000.00	834, 913
496	National Night Out, \$2,500.00	381

AGREEMENTS

BILL NO.	SUBJECT	PAGE
17	NeighborFair Pittsburgh, Inc., Neighborhoods for Living Center, \$15,000.00 Dept. City Planning	25, 45
243	Neighborhood Housing Services, Inc., for professional services for the City, \$5,000.00	175, 271
868	Neighborhood Legal Services, legal advice to low and moderate income City residents, \$10,000.00	794, 843
261	New Group Theatre for professional services, \$1,000.00	177, 277
1616	North Side Civic Development Corporation, \$1,000.00 Repealing No. 1109/1990	1427, 1493
50	North Side Civic Development Council, \$20,000.00	37
1440	North Side Civid Development Corporation, \$1,000.00	1303, 1385
453	North Side Common Ministries in relation to services under the Emergency Shelter Grants Program, \$29,500	344, 434
1617	North Side Tenants Reorganization, \$500.00	1427, 1493
103	Oakland Planning Development Corporation, Inc., \$59,071.42 Amending No. 425/1983	110, 194
587	Oakland Traffic Improvement Studies	490, 579
263	Overbrook Athletic Association, Inc., for professional services, \$7,500.00	178, 278
277	Ozanum Cultural Center for professional services, \$20,000.00	179, 282
1092	P.B.A., Inc., The Second Step, \$40,000.00	964, 1066
1172	PA, Dept. of Transportation and the U.S. Federal Highway Aeministration, \$2,300,000.00	1047, 1182
930	Parental Stress Center, Inc., \$41,000.00 Amending No. 200/1987	834, 913
953	Patrick Media Group, Inc., POA Company, BloomfieldGarfield Corporation, the Bellefield Area Citizens Association and Polish Hill Civic Association for construction of billboards of the Bloomfield Bridge, \$24,549.50	838, 929, 969
871	Pennsylvania Dept. of Environmental Resources posited into the Solid Waste Trust Fund	794, 965
917	Perry Hilltop South CDC for administrative support, \$20,045.00	833, 910
171	Pittsburgh Action Against Rape for professional services, \$30,000.00	122, 209

AGREEMENTS

BILL NO.	SUBJECT	PAGE
494	Pittsburgh Action Against Rape, \$30,000.00	381, 477
130	Pittsburgh Action Against Rape, \$50,000.00, for their Counseling Program Amending No. 778/1986	115, 199
267	Pittsburgh Ballet for professional services for the City, \$10,000.00	178, 278
710	Pittsburgh Board of Public Education in con- nection with the Summer Food Service Program, \$550,000.00	630, 719
980	Pittsburgh Center for the Arts, \$20,000.00 Amending No. 806/1984	858, 943
271	Pittsburgh Childrens Festival for professional services, \$10,000.00	179, 280
1810	Pittsburgh Clean City Committee, Inc. and HDR Engineering, Inc. and accept the return of remaining funds advanced by the City for the contract, funds are deposited in the Solid Waste Trust Fund	1615, 1673
100	Pittsburgh Clean City Committee, Inc., Greenway Property Management Program, \$149,285.00 Amending No. 163 of 1986	110, 193
40	Pittsburgh Clean City Community System Program Committee, \$540,000.00	35, 127
1508	Pittsburgh Community Services, Inc., \$229,925 Amending No. 215/1987	1372, 1701
1509	Pittsburgh Community Services, Inc., \$236,282 Amending No. 783/1986	1373, 1701
920	Pittsburgh Community Services, Inc., for Home Security Program Block Watch Organizers, \$240,000.00	833, 911
919	Pittsburgh Community Services, Inc., for carrying out hunger related programs, \$150,000.00	833, 911
918	Pittsburgh Community Services, Inc., for carrying out programs for public services, \$209,328.00	833, 911
262	Pittsburgh Dance Council for professional services, \$5,000.00	177, 277
242	Pittsburgh Literacy Initiative for professional services for the City, \$25,000.00	175, 271
921	Pittsburgh Literacy Initiative promoting healthy child/parent relationships, \$7,640.00	833, 911
131	Pittsburgh Mediation Center, Inc, \$14,197.01, for administrative costs for operation Amending No. 810/1985	115, 199

AGREEMENTS

BILL NO.	SUBJECT	PAGE
102	Pittsburgh Neighborhood Alliance Implementation Block Watch Program, \$289,164.17 Amending No. 715/1984	110, 194
108	Pittsburgh Neighborhood Alliance Planning neighborhood workshops, \$9,733.01 Amending No. 1028/1978	111, 195
260	Pittsburgh Opera for professional services, \$10,000.00	177, 277
109	Pittsburgh Opportunities Industrialization Center, Inc., rehabilitation Fifth Avenue, \$50,000.00 Amending No. 794/1986	111, 195
1776	Pittsburgh Public Parking Authority renovation of various parking lots throughout the City, Schenley Park Plaza Amending No. 1031/1990	1610
1361	Pittsburgh Public Parking Authority, renovation and repairs various parking lots	1252, 1296
258	Pittsburgh Rugby Club for professional services, \$22,500.00	177, 276
274	Pittsburgh Symphony for professional services, \$45,000.00	179, 281
281	Pittsburgh Trust for Cultural Resources for professional services, \$20,000.00	180, 282
1795	Pittsburgh Water and Sewer Authority, the Borough of Fox Chapel and Fox Chapel Sanitary Authority on land occupied by City's Water Treatment Plant	1613, 1679
1507	Polished Apple Enterprise, Inc., \$1,900.00 Amending No. 588/1988	1372, 1701
118	Port Authority of Allegheny County Continuation of Oakland Loop Bus, \$193,579.97 Amending No. 446.1983	113, 197
946	Port Authority of Allegheny County continuation of Hill District and Oakland Loop Bus for low and moderate income persons, \$200,000.00	836, 915
123	Port Authority of Allegheny County continuation of Hill District and Oakland Loop Bus, \$199,962.76, Amending No. 694/1984	113, 197
330	Professional services for training City employees in use of personal computers, \$35,000.00	231, 306
923	Program for Female Offenders van in support of the Agency, \$20,000.00	833, 912
239	Project "90", Inc., for professional services for the City, \$7,858.00	174, 270
922	Project 90 for financial assistance scholarship program, \$7,142.00	833, 912

AGREEMENTS

BILL NO.	SUBJECT	PAGE
101	Project 90, Inc., recreation program for children low income families, \$9,900.00 Amending No. 779/1985	110, 193
170	Psychologist for professional psychological services Dept. of Public Safety, \$48,000.00	121, 209
98	Public Parking Authority preparation of landscape plan in connection with Schenley Plaza in Oakland Section, \$5,000.00 Repealing 1198/1981	110, 193
223	Purchase of fuel for City owned vehicles, \$625,000.00	172, 357
1807	Qualified Management Consulting Firm for professional services in development of indirect cost allocation plan, \$35,000 Amending No. 1072/1990	1615, 1666, 466
909	Rainbow Kitchen operating for Food Distribution System for low-moderate income families, \$3,000.00	832, 909
356	Rehabilitation of Various Public Safety Facilities, \$200,000.00	261, 365
389	Rehabilitation of Various Roofs, \$200,000.00 from "1989 Project Fund"	298, 404
393	Renovations of Various Public Buildings, \$342,000.00	299, 404
734	Renovations of Various Public Buildings, \$342,000.00	650, 762
275	River City Brass Band for professional services, \$5,000.00	179, 281
910	Riverview Apartments for rehabilitation, \$2,000.00	832, 909
911	Riverview Center Jewish Services administrative assistance, \$21,000.00	832, 909
276	Robert Morris College for professional services, \$8,000.00	179, 281
1879	Salvation Army North Side Corps, \$3,329.00	1662, 1700
168	Salvation Army for professional services in connection with Public Inebriate Program, \$60,000.00	121, 208
461	Salvation Army in relation to services under Emergency Shelter Grants Program	345, 435
1434	Second Amendatory Community Development Corporations Cooperation Agreement for transfer of an additional \$5,751.16 by URA of Pgh. fund Community development corporations	1303, 1384

AGREEMENTS

BILL NO.	SUBJECT	PAGE
273	Sharing and Caring for professional services, \$7,000.00	179, 281
1852	South Pittsburgh Economic Revitalization Team for Neighborhood Block watches in Council- manic District #3, \$2,320.00	1633, 1700
1851	South Pittsburgh Economic Revitalization Team for job development, \$1,000.00	1633, 1699
119	South Side Local Development Commercial Revitalization Support East Carson Street Business District, \$25,938.29 Amending No. 555/1982	113, 197
132	South Side Local Development Company, \$32,215.00, for Main Street Program Amending No. 782/1985	115, 199
117	South Side Local Development Corporation South Side Carson Street, \$39,975.19 Amending No. 12/1984	113, 196
913	Spring Garden Neighborhood Council, Inc., "adopt a lot" program, \$20,000.00	832, 910
1844	Spring Garden Neighborhood Council, St. Michaels Food Bank, \$1,109.50	1631, 1698
912	St. Clair Citizens Council operation for food pantry, \$5,000.00	832, 910
914	St. Rosalia Church Food Bank, administrative assistance \$4,00.00	832, 910
1114	Stadium Authority for Various Accessibility Improvements at Three Rivers Stadium, \$150,000.00	1004, 1140
1310	Stadium Authority for consideration of the Stadium Pedestrian Circulation Improvements, \$1,600,000.00	1205, 1273
241	Steel Valley Authority for professional services for the City, \$50,000.00	174, 271
1708	Stenographic reporting services in connection with public hearings, \$2,500.00	1545, 1620
810	Structural Repairs and Maintenance at Phipps Conservatory, \$501,138.10	735, 810
809	Structural Repairs to Schenley Park, \$100,000	734, 810
915	Support for low-income women experiencing problems in obtaining child support payments, \$10,000.00	832, 910
303	Swimming Pool Design and Rehabilitation of Existing Facilities to Homewood, Ormsby, Cowley and Beechwood \$400,000.00	227, 326
1563	Swimming Pool Design and Rehabilitation of Existing Facilities, \$220,000.00	1401, 1497

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1245	The George "Dew" Brown Summer League, \$1,500	1091, 1190, 1208
1431	The Mayor and Chief Administrative, \$10,000 in connection with the City's Solid Waste Management Program	1302, 1381
916	Three Rivers Center for Independent Living rehabilitation, \$7,000.00	833, 910
460	Three Rivers Youth in relation to services under Emergency Shelter Grants Program, \$19,290.00	345, 435
237	Tri-State Conference on Steel professional services for the City, \$15,000.00	174, 270
901	Tri-State Conference professional services in connection with educating the public regarding Magnetic Levitation Transportation System, \$5,000.00	831, 907
739	U.S. Dept. of Interior, Office of Surface Mining and Commonwealth of Pennsylvania, Dept. of Environmental Resources, 14th Ward	651, 756
129	URA Pittsburgh Employee Ownership Charitable Trust Fund, \$15,000.00 Amending No. 501/1986	114, 199
1475	URA and Homewood-Brushton Revitalization and Development Corporation, \$100,000.00	1342, 1412
1304	URA and Kevin E. and Adrienne Cooper, \$60,850 from Neighborhood Housing Fund	1204, 1297
1176	URA of Pgh. and North Side Civic Development Council, Inc., \$190,000.00	1048, 1183, 1211
111	United Jewish Federation of Pittsburgh administrative assistance in operating a Career Development Center, \$25,000.00 Amending No. 224/1987	112, 195
902	United Jewish Federation of Pittsburgh in operating a Career Development Center, \$32,000.00	831, 908
1463	United States Department of Interior, Office of Surface Mining, 19th Ward	1340, 1384
1121	United States Dept. of Interior, Office of Surface Mining, 15th Ward	1005, 1126
1122	United States Dept. of Interior, Office of Surface Mining, 19th Ward	1005, 1126
1123	United States Dept. of Interior, Office of Surface Mining, 31st Ward	1005, 1126
115	University of Pittsburgh Black Infant Mortality Problem Pittsburgh Area, \$7,000.00 Amending No. 277/1984	112, 196
282	University of Pittsburgh for professional services, \$20,000.00	180, 283

AGREEMENTS

BILL NO.	SUBJECT	PAGE
945	Urban League of Pittsburgh for administrative assistance for "Housing Conseling Program", \$225,000.00	836, 915
903	Ursuline Center administrative support in operating programs for the elderly and child care, \$20,000.00	831, 908
1803	Utica Mutual Insurance Company for surety bond required by the Commonwealth of PA	1615, 1666
1001	Various Agencies for implementation 11-A Incentive Grant by the JTPA, \$41,000.00	862, 903
1002	Various Agencies for implementation 11-A State Educational Grant Program, \$195,000.00	862, 904
1003	Various Agencies implementation of 11-A JTPA, \$680,000.00	862, 904
164	Various Community Development Corporations for lot clean-up targeted City neighborhoods, \$100,000.00	121, 189
1848	Various Community Organizations for residents of the City, \$5,000.00	1632, 1699
1249	Various Contractors in connection with Dept. of Parks and Recreation, \$22,000.00	1091, 1190
520	Various Private for Profit and Non-Profit entities CDBG Emergency Jobs Bill Program, \$1,319,460.53 Amending No. 733/1983	418, 475
313	Various Rehabilitations to Pittsburgh Zoo to Polar Bear facility, \$200,000.00	228, 327
302	Various Revonations to the Aviary located in District #6, \$70,000.00	227, 326
201	Various agencies City of Pittsburgh's 11-A State Educational Grant Program, \$70,000.00 Amending No. 705/1989	151, 236
200	Various agencies JTPA Economic Dislocation and Worker Adjustment Assistance Act	151, 236
1318	Various agencies JTPA, \$778,000.00 Amending No. 732 of 1990	1206, 1231
203	Various agencies employment services in connection with Pittsburgh Partnership Employment Program, \$75,000.00 Amending No. 426/1989	152, 237
329	Various agencies for implementation of 11-A JTPA, \$1053,000.00 Amending No. 613/89	231, 267
1533	Various agencies for implementation of Pittsburgh's 11-A Incentive Grant, \$37,000	1377, 1430
1093	Various agencies for job development and employment services in connection with Neighborhood Employment Program, \$150,000.00	964, 1066

AGREEMENTS

BILL NO.	SUBJECT	PAGE
1739	Various agencies implementation of City's 11-A State Educational Grant Program, \$306,707.00 Amending No. 731/1990	1582, 1622
1740	Various agencies implementation of City's JTPA, \$1,616,790.00 Amending No. 732/1990	1582, 1623
1201	Various hospital in connection with administration for Civil Service Commission's Medical Examination Program for Police Officer candidates, \$150,000.00	1052, 1152
1828	Various performers in connection with the Department's various recreational and instructional program, \$10,000.00 in individual amounts	1618, 1684
597	Vietnam Veterans Leadership Program of Western Pennsylvania, \$8,100.00	492, 571
240	Vintage, Inc, for professional services for the City, \$15,000.00	174, 271
238	Welfare Rights Organization for professional services for the City, \$10,000.00	174, 270
904	Welfare Rights Organization, \$10,000.00	831, 908
905	West End Health Care Center, administrative assistance, \$5,000.00	831, 909
908	Western Pennsylvania Conservancy Community Self-Help Beautification Development Neighborhood, \$75,000.00	831, 909
272	Western Pennsylvania Conservatory for professional services, \$15,000.00	179, 280
888	Western Pennsylvania Police Athletic Association, \$8,580.00	828
1086	Western Pennsylvania Police Athletic League, \$5,000.00	962
1030	Westgate Community Development Corporation \$5,000	894, 980
92	Westside Community Development Corporation for administration assistance, \$23,460.00, CDBG	108, 160
788	Westside Community Development Corporation, \$29,000	687, 761, 844
458	Whale's Tale in relation to services under the Emergency Shelter Grants Program, \$34,436	345, 434
1587	Wm. N. Dunn in connection with research and preparation of Impact of Military Spending on Employment and Social Services, \$4,500	1405, 1484
456	Womanspace East in relation to the services under Emergency Shelter Grants Program, \$17,520.00	345, 434

AGREEMENTS

BILL NO.	SUBJECT	PAGE
452	Women's Center & Shelter in relation to services under Emergency Shelter Grants Program, \$41,746.00	344, 431
525	Women's Center & Shelter of Greater Pittsburgh, for professional services \$30,000.00	419, 518
906	Women's Center and Shelter conseling for low-income women experiencing domestic violence, \$19,200.00	831, 909
1880	Women's Center and Shelter, \$3,329.00	1662, 1701
1845	Women's Center and Shelter, women of Pittsburgh who are victims of domestic violence, \$1,109.50	1632, 1698
454	YMCA - Centre Avenue in relation to services under the Emergency Shelter Grants Program, \$22,735.00	344, 434
907	YMCA of Pittsburgh - Centre Avenue Branch, \$15,000.00	831, 909

APPLICATIONS

BILL NO.	SUBJECT	PAGE
758	Application for financial assistance Minority Business Development Fund, \$100,000.00	654, 760
753	Application for financial assistance, Community Development Investment Fund Program \$325,000	653, 760
752	Application for financial assistance, Fifth and Forbes Public Space Improvements Program \$250,000.00	653, 759
757	Application for financial assistance, Housing Recovery Program, \$800,000	654, 760
755	Application for financial assistance, Neighborhood Housing Program, \$500,000.00	654, 760
754	Application for financial assistance, Pittsburgh Construction Loan Fund \$200,000.00	653, 760
756	Application for financial assistance, Rental Housing Development and Improvement, \$1,000,000.00	654, 760
759	Application for financial assistance, Street-face Program, \$200,000.00	654, 760
815	Application for financial assistance, Washington's Landing Redevelopment Project, \$1,200,000.00	735, 797

APPLICATIONS

BILL NO.	SUBJECT	PAGE
596	Application with Commonwealth of PA in connection with Conservation Corps Act, \$8,000.00	492, 571
483	Autorizing URA to submit application for financial assistance \$3,200,000.00 to PA Dept. of Community Affairs	379, 499
1669	File amendatory application, \$3,398,000.00 with Penna. Dept. of Community Affairs, Crawford-Roberts	1518, 1572
1738	Filing an application by the City in connection with Joint Jobs Initiative Program Transitionally Needy Project, \$22,624.00 Amending No. 738/1990	1582, 1622
1737	Filing an application by the City in connection with Joint Initiatives Program Single Point of Contact Project, \$479,831 Amending No. 739/1990	1582, 1622
1608	Filing an application by the City with Commonwealth of PA, Dept. of Community Affairs, Baxter Playground Rehabilitation Project	1425, 1528
1517	Filing an application by the City with U.S. Department of Housing Amending No. 1046/1976	1374
1518	Filing an application by the City with U.S. Department of Housing Amending No. 1228/1979	1374, 1436
1244	Filing an application with Commonwealth of PA for grants in connection with JTPA, \$35,000.00	1090, 1156
1317	Filing an application with Commonwealth of PA with Economic Dislocation and Worker Adjustment Assistance	1230
1520	Filing an application with U.S. Dept. of Housing and Urban Development Amending No. 1420/1980	1375, 1436
1519	Filing an application with U.S. Dept. of Housing and Urban Development Amending No. 1549/1978	1374
622	Filing application for financial assistance Stadium Renewal Project by city with Dept. of Community Affairs, \$1,900,000	537, 580
743	Filing application for financial assistance, \$125,000.00 Regent Theater of the City	652, 758
1370	Filing application in connection with Deferral of Employment Discrimination Charges	1253, 1307

APPLICATIONS

BILL NO.	SUBJECT	PAGE
1371	Filing application in connection with Deferral of Housing Discrimination Charges	1253, 1307
531	Filing application with Commonwealth of PA Dept. of Education in connecton with SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT	
1090	Filing of an application by the City in connection with JTPA, \$960,000.00	420, 503
998	Filing of an application by the City in connection with Joining Jobs Initiative Program Transitionally Needy Project, \$160,000.00	964, 1009
1035	Filing of an application by the City in connection with National Institute of Justice approving the Drug Market Analysis Program, \$317,269.00	861, 903
1000	Filing of an applictation by the City in connection with Economic Dislocation and Worker Adjustment Assistance Act, \$125,000.00	895, 940
588	Submission of application for financial assistance, \$587,000.00 to U.S. Department of Housing and Urban Development in connection with Rental Rehabilitation Program for fiscal year 1990	862, 903
1390	Submitting application to Commonwealth of Pennsylvania, Dept. of Community Affairs for Fulton Theater renovations, \$200,000	490, 580
148	URA to submit application for financial assistance, \$2,000,000.00 PA Dept. of Community Affairs for the Penn Avenue Plaza Project	1288, 1348
		118, 203

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
733	Bellasario, Rich	Member Minority and Women Business Enterprise Review Committee, term effective immediately and to expire April, 1992	638, 668
806	Botsford, Dawn	Director of the Department of Water	
730	Brown, Linda	Member Board of Water Assessors	724, 737
352	Cimino, Dominic	Member of the Historic Review Commission, term to expire December, 1992	638, 664
			241

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
338	Cimino, Dominic	Executive Officer Member of the Board of Code Review	233
339	Cimino, Dominic	Executive Officer Member of the Board of Standards and Appeals	233
34	Cimino, Donimick	Chief, Department of Public Safety, Bureau of Building Inspection	30
1866	Cobb, Linda	As a City Magistrate for a term effective immediately and to expire January 1994	1655
351	Conturo, Mary	Member to the Board of Trustees of the Comprehensive Municipal Pension Trust Fund in accordance with Ordinance 25 of 1986, term to expire in 1991	241
37	Conturo, Mary K.	City Solicitor, Law Department, shall be effective February 1, 1990	31, 39
1225	Cunningham, James	Member of Art Commission for term of the Mayor	1071, 1096
731	Danko, Barbara	Member Board of Water Assessors	638, 667
422	Darkins, Duane	Member of Public Parking Authority, term to expire April, 1993	303
1228	DeSantis, John	Member of Historic Review Commission term effective immediately and to expire December 1991	1072, 1097
1229	Detwiler, Marilyn	Member of Planning Commission term effective immediately and to expire January 1996	1072, 1104
807	DiNardo, Louis	Director of the Department of General Services	724, 748
353	Downing, Jane	Member of the Historic Review Commission, term to expire December, 1992	241
88	Ferlo, Jim	Board Member, Housing Authority completing term previously held by Ben Woods	101
883	Ferlo, Roger Rev.	Human Relations Commission, term effective immediately and to expire July, 1994	811, 841
882	Forrester, Randal	Human Relations Commissions, term effective immediately and to expire July, 1994	811, 840

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
423	Gabriel, John	Member of the Civil Service Commission, term to expire concurrent with the Mayor's term of office	303
1227	Graves, Howard	Member of Historic Review Commission term effective immediately and to expire December of 1991	1071, 1097
467	Hughey, Andrew	Member of the Civil Service Commission, term to expire concurrent with the Mayor's term of office	346
1224	Jr, Proctor, Ralph	Member to Human Relations Commission for term effective immediately and to expire July of 1991	1071, 1229
1230	Machen, Don	Member of Planning Commission term effective immediately and to expire January 1992	1072, 1104
190	McClendon, Kellen	Board Member, Housing Authority effective immediately to expire January 1, 1995	138, 153
725	Milliones, Jake	URA Board, term to expire, term to expire December, 1994	637
727	Miskovich, Deborah	City Magistrate, term effective immediately and to expire January, 1991	638, 656
341	O'Connor, Sr.	Member of Housing Authority Board, term to expire October, 1993	233
340	Regan, Bernard	Member of Stadium Authority Board, term to expire January, 1994	233
724	Reid, Herman Dr.	Member of the Housing Authority term to expire October 1995	637
726	Ricciardi, Eugene	Member of Pittsburgh Water and Sewer Authority, term effective immediately and to expire January, 1994	638
1865	Ruffner, Susan	As City Magistrate for a term effective immediately and to expire January of 1995	1654, 1689
188	Salac, Kurt	Board Member, Equipment Leasing Authority for an unexpired term to expire December 31, 1991	137
1226	Schinhofen, Raymond	Member of Art Commission for term of the Mayor	1071, 1096

APPOINTMENTS

BILL NO.	NAME	APPOINTMENT	PAGE
1071	Sciullo, John J.	Member of the URA Board for a term to expire December of 1992	944
1072	Shiner, Willard C.	Member of the City Planning Commission for a term effective immediately and to expire January 1996	944
1690	Thomas, Jeffrey K.	Member of Minority and Women Business Enterprise Review Committee, term effective immediately and to expire April of 1992	1528, 1547
351	Wagner, Jack	Member to the Board of Trustees of the Comprehensive Municipal Pension Trust Fund in accordance with Ordinance 25 of 1986, term to expire in 1991	241
732	Wheeler, Laverne	Member Minority and Women Business Enterprise Review Committee, term effective immediately and to expire April, 1992	638, 668
36	Wilburn, Robert	Pittsburgh Water and Sewer Authority, Term of five years beginning January 1, 1990	31, 38
189	Young, Reginald B.	Board Member, Housing Authority effective immediately to expire January 1, 1995	138, 153
728	Zottola, John	Member City Planning Commission, term effective immediately and to expire January, 1994	638, 688
729	Zottola, John	Member of Board of Adjustment, term effective immediately and to expire January, 1991	638, 688

BUDGET AMENDMENTS

BILL NO.	SUBJECT	PAGE
1311	Increasing total project cost of the Stadium Pedestrian Ramps Project, \$2,200,000.00 Repealing No. 909/90	1205, 1273

CABLECAST

BILL NO.	SUBJECT	PAGE
174	Cablecast certain City Council Post Agenda Meetings which take place immediately following the Standing Committees Meetings	122

CERTIFICATE OF ELECTION

BILL NO.	SUBJECT	PAGE
1	Cohen, Dan - Certificate of Election	1
2	Coyne, Michael - Certificate of Election	2
3	Darkins, Duane A. - Certificate of Election	2
4	Ferlo, Jim - Certificate of Election	3
5	Madoff, Michelle - Certificate of Election	3
6	Milliones, Jake - Certificate of Election	3
7	Regan, Bernard J. - Certificate of Election	4
8	Ricciardi, Gene - Certificate of Election	4
9	Wagner, Jack - Certificate of Election	4

CHANGING NAME

BILL NO.	SUBJECT	PAGE
1395	Changing the name of Sacramento Avenue from Vienna Street to Strickler Street, 20th Ward	1289, 1345
1396	Changing the name of Jacobs Way from Brosville Street to its deadend, 16th Ward	1289, 1345
1397	Changing the name of Behrens Way from Highman Street to Valora Street, 20th Ward	1290, 1345
1398	Changing the name of School Way from Sherrod Street to Cessna Way, 9th Ward	1290, 1345
1399	Changing the name of Monastery Street from the mailbox in front of St. Paul's Monastery, 16th Ward	1290, 1345
1400	Changing the name of Buchanan Street to Lowrie Street, 24th Ward	1290, 1345
1303	Changing name of Colbert Street between Locust Street and Forbes Avenue to McAnulty Drive, 2nd Ward	1204, 1295
1568	Changing the name of McCandless Street, 10th Ward	1402, 1490
419	Mayor and Director of the Dept. of Parks and Recreation Changing the name of Frazier Field in the 4th Ward to Dan Marino Field	302, 363

CIVIC AREANA

BILL NO.	SUBJECT	PAGE
1633	Consenting to use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena	1429, 1547

COMMUNITY DEVELOPMENT STATEMENT

BILL NO.	SUBJECT	PAGE
894	Filing a Community Development statement by the City with U.S. Dept. of Housing and Urban Development in connection with the 1990 CDBG Program, \$15,711,000	829, 906
1126	Community Development Statement by City of Pittsburgh with U.S. Dept. of Housing and Urban Development, \$75,000.00 Amending No. 79/89	1006, 1130
1127	Community Development Statement by City of Pittsburgh with U.S. Dept. of Housing and Urban Development, \$150,000.00 Amending No. 234/86	1006, 1130
1521	Filing Community Development Statement by the City with Dept. of Housing and Urban Development Amending No. 167/1983	1375
1522	Filing Community Development Statement by the City with U.S. Dept. of Housing and Urban Redevelopment Amending No. 301/1984	1375, 1436
1523	Filing Community Development Statement by the City with U.S. Dept. of Housing and Urban Development Amending No. 1150/1984	1375, 1437
1524	Filing Community Development Statement by the City with Dept. of Housing and Urban Development Amending No. 234/1986	1375, 1437
1525	Filing Community Development Statement by the City with Dept. of Housing and Urban Development Amending No. 1181/1986	1376, 1437
1526	Filing Community Development Statement by the City with U.S. Dept. of Housing and Urban Development Amending No. 448/1988	1376, 1437

CONDITIONAL USE APPLICATIONS

BILL NO.	SUBJECT	PAGE
449	Allegheny General Hospital - Five-story, 120-bed care facility of HEMLOCK STREET and JAMES STREET, 22nd Ward	344, 429
18	Leann Associates - Authorization to use property area to serve employees of Baum Boulevard Dodge, Inc., 8th Ward	25, 66
1781	Western Manor, Inc. - Section 993.01(a)A(33) Title Nine, Zoning, Article V, Chapter 993, existing structure 2851 Bedford Avenue, 5th Ward	1611, 1641

CONTRACTS

BILL NO.	SUBJECT	PAGE
305	Ballfield Relighting at Various Locations to Herschel Field in District #2, \$100,000.00	227, 326
1493	Ballfield Relighting at Various Locations, Herschel Field, \$100,000.00 Repealing No. 156/1989	1370, 1445
1492	Ballfield Relighting at Various Locations, Herschel Field, \$100,000.00 Repealing No. 276/1990	1370
448	Bloomfield-Garfield Corp. relocation of the Veteran's Honor Roll Monument, 8th Ward, \$3,200.00	343, 403, 448
56	Computerized mapping and geographic inform- ation system for Bureau of Fire, \$35,500.00	38, 136
407	Concrete Slab Replacement at various locations, \$600,000.00	301, 394
979	Concrete Step Construction and Reconstruction at various locations, \$441,482.04 Amending No. 1095/1981	858, 943
387	Concrete Step Construction or Reconstruction at various locations at Sterling, Judicial, Baldauf Hancock and St. Leo Streets, \$200,000 Amending No. 1043/1989	298, 403
535	Concrete repairs, Dept. of Parks and Recreation, \$100,000.00	420, 502
672	Concrete slab replacement at various locations, \$100,000.00	597, 635
1083	Construction of Bonair Basketball Court, \$10,000.00	962, 1071

CONTRACTS

BILL NO.	SUBJECT	PAGE
1494	Construction of Kennard Pool and Bath House, \$155,413.00 Amending No. 1013/1985	1370, 1446
311	Construction of Walls at various locations, Pittsburgh International Engineering Incorporated in connection with Design of Blessing Street Wall, \$38,897.05 Amending No. 750/1983	228, 327
157	Demolition of condemned buildings, Site Restoration and Boarding and Party Walls, \$443,950.00 Amending 774/1987	120, 208
834	Demolition of the Shadeland Avenue Bridge; for a Reimbursement Agreement with the Commonwealth of PA	777, 847
514	Design of high pressure sodium street lighting Dept. of Public Works, \$682,000.00	417, 476
1080	Electrical and lighting Rehabilitation at Fort Pitt Ballfield, \$177,738.27	962, 1070
1496	Fall 1986-87 Street Tree Planting Program in various Community Neighborhoods, \$148,691 Amending No. 718/1986	1370, 1448
1082	Fall 1990 Street Planting Program, \$25,000.00	962, 1070
534	Fence repairs for the Dept. of Parks and Recreation, \$30,000.00	420, 502
1334	Flexible beam guiderails at various locations, \$75,000.00	1227, 1268
1166	Furnishing certain electrical equipment necessary for street lighting, \$200,000	1046, 1127
836	Furnishing of a Trash Collector/Sweeper and a Gang Mower, \$30,000.00	778, 846
229	Furnishing of motorized fire equipment Dept. of General Services, \$660,000.00 Amending No. 500/89	173, 273, 358
493	Furnishing of office equipment for the Dept. of Public Safety, \$14,000.00	381, 476
230	Furnishing of tractors, \$107,000.00, Dept. of General Services Amending No. 1045/89	173, 275
1117	Impact Attenuator Modifications on Broadway Avenue, \$10,000.00	1004, 1143
1759	Implementation of Zoo Master Plan, \$1,135,000 Amending No. 341/1989	1608, 1686
1514	In connection with demolition of condemned buildings, \$412,904.00 Amending No. 707, 1988	1373, 1436
603	In connection with demolition of condemned buildings, \$900,000.00	493, 582

CONTRACTS

BILL NO.	SUBJECT	PAGE
1160	Installation of Computerized Traffic, \$1,000,000	1045, 1194
1157	Installation of fencing at Route 51, \$10,000.00	1045, 1193
533	Installation of picnic shelters Dept. of Parks and Recreation, \$25,000.00	420, 502
536	Installation of playground safety surface, Dept. of Parks and Recreation, \$150,000.00	421, 503
976	Installation of two fitness courses and one ablebodied and one wheelchair sports, \$4,405.00	857, 941
1407	Lease purchase of high pressure sodium street lighting for Dept. of Public Works, \$400,000 Amending No. 395/1990	1291, 1309
480	Lighting and Electrical Repairs at Various Locations, \$70,000.00	379, 479
986	Maintenance of personal property in the custody of various departments of the City	859, 981
304	Major Court Renovations at Various Locations to Highland Park in District #7, \$160,000.00	227, 326
307	Major Repairs and Emergencies to Phillips Park Recreation Center District #4, \$85,000.00	227, 326
532	Major Repairs and Emergencies, Dept. of Parks and Recreation, \$110,000.00 Amending No. 148/1989	420, 502
1457	Major repairs and emergencies, Philips Park Recreation Center, \$128,241.40	1339, 1417
537	Major repairs and emergency, Dept. of Parks and Recreation, \$120,000.00	421, 503
985	Materials and supplies for several City Departments, \$10,000.00	859, 981
65	Neighborhood Street Signs throughout the City, \$575,000.00, Amending 786/89	60, 135
74	New Optical Mark Reader Dept. of Personnel and Civil Service Commission, \$35,500.00	61, 159
409	Novation of concrete streets at various locations \$150,000.00	301, 305
1236	PA One Call System to provide the City with a Dept. of Water Street Opening Information System, \$30,000.00	1089, 1188
231	Paving of various streets throughout the City using modified emulsion asphalt \$140.286. 59	173, 239
1281	Pennsylvania Energy Office (PEO), \$30,000.00	1200, 1274

CONTRACTS

BILL NO.	SUBJECT	PAGE
692	Pennsylvania Energy Office, \$203,563.00 in connection With the Pennsylvania Public Utility Commission	627, 719
896	Printing delivery of projects, Six-Year Development Program, \$75,000.00	830, 907
898	Printing delivery of projects, Six-Year Development Program, \$75,000.00	830, 907
397	Public Sidewalk construction at various locations, \$100,000.00, Public Property Sidewalk Program	300, 392
1167	Public sidewalk construction at various locations, \$117,693.62	1046, 1127
1060	Purchase 1000 Gallong of firefight foam for the Bureau of Fire, \$20,000.00	928, 1019
1036	Purchase 200 sections of fire attack hose for the Bureau of Fire, \$16,000.00	895, 983
1037	Purchase 6 "Stinger" portable monitors for the Bureau of Fire, \$14,400.00	895, 983
1677	Purchase Saber II Radio Equipment Bureau of Police, \$17,068.00	1520, 1595
1654	Purchase Saber II Radio Equipment for Bureau of Police \$61,445.00	1456, 1527
417	Purchase a computerized mapping (PAGIS), \$45,000.00 Amending No. 41/1990	302, 396
794	Purchase a computerized mapping information system (PAGIS), \$46,000.00	688, 783
445	Purchase and delivery of Portable X-ray Unit and Accessories, \$14,500.00	343, 436
1333	Purchase of Selectron Truck Scale Ticketing and Data Base System, \$15,000.00	1227, 1267
556	Purchase of a Boom Mower, \$35,000.00	464, 498
984	Purchase of a barcode system for the Dept. of General Services, \$25,000.00 Amending No. 28/1986	859, 937
1823	Purchase of an 80' x 40' for Pittsburgh Zoo, \$18,400.00	1618, 1678
1360	Purchase of an Aluminum Shoring Box System, \$30,670	1252, 1296
1321	Purchase of firefighting foam for Bureau of Fire, \$20,000.00 Repealing No. 818 of 1990	1207, 1274
627	Purchase of germavac splints for Bureau of Emergency Medical Services, \$14,000.00	538, 601
368	Purchase of hardward to upgrade EMS Billing System for the Bureau of Administration, \$20,000.00	263, 364

CONTRACTS

<i>BILL NO.</i>	<i>SUBJECT</i>	<i>PAGE</i>
1116	Purchase of mobile trailer to house the operations of the City Tow Pound, \$50,000.00	1004, 1140
1207	Purchase of office partitions for the Dept. of Parks and Recreation, \$20,000.00	1053, 1188
283	Purchase of park landscaping equipment of Dept. of Parks and Recreation, \$25,000.00	180, 284
987	Purchase of portable and mobile radio communication equipment for the Pittsburgh Zoo, \$24,000.00	859, 938
782	Purchase of two (2) Silos for the Dept. of Public Works' Asphalt Plant, \$25,575.00	686, 757
1825	Purchase of various landscaping equipment for Dept. of Parks and Recreation, \$27,500.00	1618, 1678
626	Purchase refill bag valves for the Bureau of Emergency Medical Services, \$10,700.00	538, 601
1031	Purchase of Universal Meter Reading Equipment and related Computer Accessories, \$26,500.00	894, 984
1158	Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase III, \$5,000,000	1045, 1193
1154	Reconstruction of Grant Street, Phase 4 Amending No. 703/1988	1044, 1192
90	Reconstruction of Various Retaining Structures to Holt Street, Andover Terrace, Dakota Street Pusey Street, and Sprain Street, \$270,000.00	108, 210
388	Reconstruction of Variuos Retaining Structures at Baker, Holt, Barlett, Andover Terrace, Dakota and Pusey Streets, \$130,000.00 Amending No. 991/1989	298, 404
67	Refuse containers Emco sideloading compaction vehicles, \$70,000.00	60, 162
1277	Rehabilitation No. 1 Fire Station, \$300,000.00 Amending No. 344 of 1989	1200, 1239
224	Rehabilitation of Fuel Island at the City Garage, \$400,000.00	172, 272
306	Rehabilitation of Service Buildings to McBride Park District #5, \$50,000.00	227, 326
1081	Rehabilitation of Various Landscape and Turfed Areas \$25,000.00	962, 1070
301	Rehabilitation of Various Landscape and Turfed Areas to Leslie Ballfield and Schenley Oval Ballfield, \$200,000.00	227, 326

CONTRACTS

BILL NO.	SUBJECT	PAGE
1647	Rehabilitation of Various Play Areas including but not limited to 52nd Street, 57th Street, Heldman Playground and Kennard Playground, \$675,000.00 Amending No. 326/1990	1455, 1573
390	Rehabilitation of Various Play Areas to 52nd Street, 57th Street, and Heldman Playground, \$450,000.00	298, 404
1074	Rehabilitation of Various Play Areas, 52nd Street \$625,000.00	961, 1031
1115	Rehabilitation of Various Playareas, \$700,000 Amending No. 189./1989	1004, 1140
1428	Rehabilitation of Various Public Safety Facilities, \$725,000 Amending No. 344/1989	1301, 1389
61	Rehabilitation of the Swinburne Street Bridge, increasing allocation \$295,000.00	59, 136
1162	Renovation of Various Public Safety Facilities, \$266,998.00	1046, 1194
1495	Renovation of Various Recreation Centers, Ammon and Magee, \$2,311,383.11 Amending No. 343/1989	1370, 1446
1775	Renovation of repair of various parking lots throughout the City, Schenley Park Plaza	1610
479	Renovation of the Ammon Recreation Center Renovation of Various Recreation Centers Amending No. 343/1989	379, 479
1159	Renovation of the Control Room for Computerized Traffic-Responsive Traffic Control, \$150,000.00	1045, 1194
1155	Renovations of Variuos Recreation Centers not limited to Ammon and Magee Street, \$500,000	1045, 1193
408	Renovations of walls and related facilities at City property at various locations, \$100,000.00	301, 395
1161	Renovations to the Dept. of Parks Recreation Warehouse and Shop, \$250,000.00	1046, 1194
1693	Rental of equipment in connection with City's Capital Construction Division, \$95,000.00	1543
405	Rental of equipment in connection with the City's Asphalt Plant, \$110,000.00	300, 394
1359	Rental of equipment in connection with the City's Asphalt Plant, \$260,000.00 Amending No. 330/1990	1251, 1296

CONTRACTS

BILL NO.	SUBJECT	PAGE
318	Rental of equipment in connection with the City's Capital Construction Division, \$260,000.00	229, 308
668	Repairs to Retaining Wall No. 12 of the Bloomfield Bridge, \$17,142.01 Amending 1020/1988	597, 672
1389	Repairs to streets and structures, \$50,000	1288, 1347
359	Replacement of Centrex Main Console, \$20,000	262, 363
1358	Resurfacing of various City streets and park roads, \$400,000.00 Amending No. 328/1990	1251, 1296
403	Resurfacing of various City streets, asphalt and milling, \$250,000.00, Citywide Resurfacing Program	300, 394
284	Resurfacing renovations for Dept. of Parks and Recreation, \$36,260.00	180, 284
406	Street Lighting Transfers at various locations, \$160,000.00	301, 394
443	Street Tree Planting at Various Locations and Various Business Districts in the City, \$75,000.00	343, 443
974	Street Tree Planting in Various Neighborhoods and Business Districts and Landscaping the Martin Luther King Reading Room, \$109,696 Amending No. 705/1988	857, 941
1515	Tenant work at Phoenix-Hill Shopping Center, funds \$159,282.63 Amending No. 828/1978	1374, 1702
447	Traffic signal installation at various locations, \$75,000.00	343, 423
404	Traffic signal revisions in Squirrel Hill, \$100,000	300, 394
1458	Trash Collector/Sweeper and Gang Mower, \$30,050.00	1339, 1416
66	Two Silos Dept. of Public Works' Asphalt Plant \$300,000.00	60, 135
981	Various Repairs to the Grandview Overlooks, \$10,000	858, 943
226	Various energy conservation projects for Dept. of General Services, \$190,000.00	172, 272
1460	Various repairs to City Facilities, \$220,000 Amending No. 243/1990	1340, 1416
1461	Various repairs to City Facilities, \$83,000	1340, 1416
227	Various repairs to City facilities, \$200,000 Dept. of General Services	172, 273

DEPOSITORIES

BILL NO.	SUBJECT	PAGE
46	Community Development Statement with U.S. Dept. of housing and Urban Development CDBG, filing datea for letters of credit deposit of funds	118, 202
1805	Designating Banks and Lending Institutions to act as Depositories in accordance with Pittsburgh Code, Title Two-Fiscal, Article III, Depositories	1615

ENTERPRISE

BILL NO.	SUBJECT	PAGE
742	Submission of Enterprise Zone applications with Commonwealth of PA Dept. of Community Affairs	652, 757

FEES

BILL NO.	SUBJECT	PAGE
415	Director of Dept. of Finance, a fee for Memorandum of Payment for City and School Real Estate taxes and/or Sewage Charges	302, 390
1539	Director of Dept. of Parks and Recreation to increase admission fees at the Schenley Park Ice Rink	1378, 1494
1717	Director of Dept. of Parks increase fees in connection with Dept. of Parks Swimming Pool Program, effective January 1, 1991	1546, 1679
1718	Director of Dept. of Parks to increase fees and charges at Schenley Park Golf course, effective January 1, 1991	1546, 1680
1719	Director of Dept. of Parks to increase admission fees at Pittsburgh Zoo, effective January 1, 1991	1546, 1683
1875	Establishing a schedule of fees and charges in connection with the Dept. of Parks and Receptions's Swimming Pools Program Repealing No. 987/1987	1661, 1703

FUNDS

BILL NO.	SUBJECT	PAGE
198	Establish Employee Benefits Payment Fund Employee Health and Group Life Insurance Premiums	151, 236
674	Neighborhood Development Program Funds in connection with the Western Restoration Center Development	598, 671

GRANT APPLICATION

BILL NO.	SUBJECT	PAGE
1288	Adelmo and Pasqua Sciulli the license to construct a parking pad on Melba Place, 4th Ward	1201, 1262
16	Adolph Frediani, 1646 Rockford Avenue, handicapped parking space on portion of right-of-way, 19th Ward	25, 65
1298	Anthony A. Laush the license to construct a driveway on Adna Street, 26th Ward	1203, 1267
1473	Anthony and Doris Warywoda the license to construct a set of steps on 46th Street, 9th Ward	1342, 1411
1293	Bell Telephone Company the license to con- struct two telephone cabinets on Lyric Street and Collier Street, 12th and 13th Wards	1202, 1264
1291	Bell of Pennsylvania the license to construct three telephone cabinets on sidewalk of Swope Way, 7th Ward	1202, 1263
1295	Birmingham Towers the license to construct a canopy on the sidewalk of Wharton Street, 16th Ward	1202, 1266
1287	Bob Kiecher the license to construct an electrical vault on the sidewalk Smallman Street, 2nd Ward	1201, 1261
1794	Borough of Fox Chapel and Fox Chapel Sanitary Authority to construct a sanitary sewer on land by the City's Water Treatment Plant	1613, 1679
1289	C.J. Greve the license to construct a fence on the sidewalk of Joe Hammer Street, 4th Ward	1202, 1262

GRANT APPLICATION

BILL NO.	SUBJECT	PAGE
232	Cardiothoracic Surgical Assoc., Inc., to construct a foundation for veneer and vegetation on Right-of-Way of North Avenue and Tripoli Street, 23rd Ward	173, 268
319	Carmello Trapani, to construct a stoop and steps on sidewalk, 7th Ward	230, 308
194	City and U.S. Department of Housing and Urban Development in connection with Stewart B. McKinney Homeless Act of 1987 - Emergency Shelter Grants program, \$413,000.00	150, 239
202	City of Pittsburgh with Commonwealth of PA in connection with Joint Initiatives Program Single Point of Contact Project, \$60,000.00 Amending No. 711/1989	152, 236
646	Commonwealth of PA, Dept. of Transportation, a protective barrier on the property owned by the City in the 26th Ward along right-of-way of White Oak Way, Block 116L Lot 270	569, 633
1812	Councilman Bernard J. Regan the license to construct a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building	1616, 1647
989	David Sell the license for a sanitary sewer on a portion of the right-of-way on Frazier Street and Booth Street, 4th Ward	860, 935
1504	Doctors Cichon and Sestric the license to construct a handicap ramp on the sidewalk	1372, 1435
598	Duquesne Light Company for installation of one pole and anchor electrical system on City property, 12th Ward	492, 572
233	Eldevco Associates, to construct an electrical vault on a sidewalk of Penn Avenue, 12th Ward	173, 268
1470	Elvidio Grande the license to construct a handicapped ramp on St. James Street, 7th Ward	1341, 1410
1338	Frenchy's Restaurant the license to construct an awning on the sidewalk of Sixth Street, 2nd Ward	1228, 1295
399	Gustine Company, 2240 One Mellon Bank Center, a handicapped ramp, 17th Ward	300, 393
400	Howard T. Gilfillan, 68 S. 11th Street, step and porch, 17th Ward	300, 393

GRANT APPLICATION

BILL NO.	SUBJECT	PAGE
1285	Jennifer Popovich the license to construct a garage encroachment on sidewalk Witt Street, 32nd Ward	1201, 1261
1402	Joseph R. Martinelli the license to construct a driveway on a portion of Fingal Way, 20th Ward	1290, 1346
1297	Mark G. Houmis the license to construct a sewer line on Grandview Avenue, 20th Ward	1203, 1267
320	Mellon Bank, to construct a handicamp ramp on the sidewalk of Pearl Street, 8th Ward	230, 308
1290	Metz & Lautner Plumbing Company the license to construct a sanitary sewer on So. Neville Street, 7th Ward	1202, 1263
1474	Michael Thomas the license to construct a sideyard fence encroachment on Bronze Street, 31st Ward	1342, 1411
1505	Ms. Judith Albrecht the license to construct a fence on a portion of the right-of-way 5' way, 29th Ward	1372, 1435
1401	Patricia L. Stockline, the license to construct a porch on a portion of St. Michael Street, 17th Ward	1290, 1346
1468	Penn Avenue Building the license to construct a moveable platform dock on Exchange Way, 2nd Ward	1341, 1410
1339	Pennsylvania American Water Company the license to construct a valve vault on Brook Street, 29th Ward	1228, 1296
1296	Pennsylvania American Water Company the license to construct a vault for water valve on Stetson Street, 19th Ward	1203, 1266
1571	Peoples Natural Gas Co. the license to construct 3 vaults on sidewalk of Meyran Avenue, 4th Ward	1402, 1490
1055	Piccolo Piccolo the license to construct a sidewalk cafe on a portion of Fort Pitt Boulevard, 1st Ward	927, 1019
1404	Pittsburgh Allegheny County Thermal the license to construct three vaults on a portion of the sidewalk of Penn Avenue, 2nd Ward	1290, 1346
1503	Pittsburgh Cultural Trust Resources the license to construct and electircal vault on sidewalk of Fort Duquesne Boulevard, 2nd Ward	1372, 1435

GRANT APPLICATION

BILL NO.	SUBJECT	PAGE
1286	Pittsburgh Tag Company the license to construct a loading dock on a portion of Behan Street, 22nd Ward	1201, 1261
889	Port Authority of Allegheny County a building over a sewer line of the City, 19th Ward	828
1779	Presbyterian University Hospital the license to construct a pedestrian tunnel under a portion of right-of-way of DeSoto Street, 4th Ward	1611, 1670
1405	Presbyterian-University Hospital the license to construct an elevator lift on a portion of Meyran Avenue, 7th Ward	1290, 1346
1469	Presybeterian University Hospital the license to construct a pedestrian bridge on Darragh Street, 4th Ward	1341, 1565
1471	R.A. Capone the license to construct an off-street parking area on Commerce Way, 8th Ward	1341, 1411
15	Raymond C. Sprow, 309 Harmar Street, a stoop and steps on portion of the sidewalk, 6th Ward (clear Title for encroachment)	25, 65
1403	Richard Abrams the license to construct a sanitary sewer line on a portion of Hauser Way, 7th Ward	1290, 1346
1294	Richard F. Costanzo the license to construct two foundation footers on Beechwood Boulevard, 15th Ward	1202, 1266
1570	Riverside Commons Project the license to construct a loading dock on right-of-way of Hope Street, 23rd Ward	1402, 1490
1337	Robert John Kader the license to construct a garage on a portion of Loran Way, 30th Ward	1228, 1295
1336	Sheraden Community Council the license to construct two bulletin board signs between Hillsboro Street	1228, 1295
619	Stephie B. Mourra, a wall around parking area on portion of sidewalk Rising Main Avenue, 25th Ward	537, 600
38	Sterling Land Company, 4609 Bayard Street, temporary, easement on portion of sidewalk, 4th Ward	35, 126
401	The Greenfield Organization, Inc., a sign and planter on traffic island at Greenfield Avenue and Alger Street 15th Ward	300, 393

GRANT APPLICATION

BILL NO.	SUBJECT	PAGE
1569	<i>The Pittsburgh Action Against Rape the license to construct a handicapped ramp on sidewalk of South 19th Street, 17th Ward</i>	1402, 1490
1292	<i>Tony Lombardozzi the license to construct three awnings on sidewalk of Liberty Avenue and Mathilda, 8th Ward</i>	1202, 1263
784	<i>University of Pittsburgh, telephone and electrical conduit on a portion of the right-of-way of South Dithridge Street and Henry Street, 7th Ward</i>	686, 782
402	<i>Wendy's Southeast Company, two thornless honey-locust trees on the sidewalk, 5438 Baum Boulevard, 8th Ward</i>	300, 394
1472	<i>West Penn Hospital the license to construct an awning on Liberty Avenue, 8th Ward</i>	1342, 1411
1610	<i>William T. Cahill, Jr. the license to construct a sideyard encroachment on Peggy Way and Lansing Way, 10th Ward</i>	1426, 1526

GRANT FUNDS

BILL NO.	SUBJECT	PAGE
486	<i>URA to utilize certain surplus federal and City Capital Grant funds Lower Hill Urban Renewal Project (NDP)</i>	380, 499

HERITAGE PARK

BILL NO.	SUBJECT	PAGE
245	<i>Participation and the support of the City to determine a feasibility of regional Heritage Park in Southwestern Pennsylvania</i>	175, 271

HIRING

BILL NO.	SUBJECT	PAGE
68	<i>Hire an Individual to serve as Council's Legal Advisor</i>	60

HISTORIC DISTRICT

BILL NO.	SUBJECT	PAGE
450	Historic District under Section 513 of Chapter 1007 of the Code of Ordinances known as Allegheny West Historic District	344, 1566
362	Historic Site Section 513, Allegheny Commons Parks, 22nd Ward	262, 1527
823	Historic Review Commission and the Planning commission a Historic Structure the Soldiers and Sailors Memorial Hall, 5th Avenue	737, 803
1780	Historic Structure under Section 513 of Chapter 1007 of Code of Ordinances known Soldiers and Sailors Memorial Hall of Allegheny County, 4th Ward	1611

IMPREST FUND

BILL NO.	SUBJECT	PAGE
602	Establishment of Bureau of Pllice Drug Forfeiture Money Imprest Fund, \$25,000.00	493, 582
333	City Controller to create Imprest Fund designated as the Confiscated Narcotics Proceeds Imprest Fund, deposit of cash, \$30,000.00	232, 325

LEASE

BILL NO.	SUBJECT	PAGE
64	Leasing Authority - Amending Section 4/652/80 formation of Municipality Authority to be known as Pittsburgh Equipment Leasing Authority	60, 136
91	Lease Rental Debt, \$14,000,000.00, Equipment Lease with City of Pittsburgh Equipment Leasing Authority	108, 214
253	Neville Ice Arena, Inc., use of South Side Ice Rink, initial term of 50 years at \$1.00 per year	176, 275, 320
256	Senior Citizen Center Facilities, \$256,265	177, 276
257	Community Recreation Center, \$8,700.00	177, 276
421	City Council District Office facilities, \$45,000.00	303, 396

LEASE

BILL NO.	SUBJECT	PAGE
539	Pittsburgh Parking Authority, property known as Schenely Plaza Parking Lot	421, 504
669	Commerce Realty Associates, L.P., 2 year term, \$223,102.50	597, 671
761	City owned fire truck Model 1968, American LaFrance, to the Borough of Homestead, for the sum of \$1.00 per annum	654, 719
954	PennDOT, property in 2nd Ward and 18th Ward for the sum of \$1.00	838, 900
1435	Forbes Street Associates on 3rd Floor, 1st Ward, for the sum of \$1.00	1303, 1386
1632	Sublease by and between the Public Auditorium Authority of Pittsburgh and Allegheny County and Civic Arena Corporation	1429, 1547
1692	M. Berger Land Company certain indoor/outdoor space, 17th Ward 5 year term for conducting tow pound activities	1542
1778	Presbyterian University Health System, Inc. occupation of the public right-of-way in DeSoto Street, 4th Ward	1610, 1670

LEASE - LICENSE

BILL NO.	SUBJECT	PAGE
254	Duquesne Light Company for removal of an underground electrical system, 14th Ward, in connection with electrical service to Pittsburgh Center for Arts	176, 240
255	Duquesne Light Company for removal of an underground electrical system, 14th Ward, in connection with electrical services to Pittsburgh Center for Arts	176, 240
366	Peoples Natural Gas Company, gas line across property as Heth's Run Bridge, 11th Ward	263, 350
367	Peoples Natural Gas Company, gas line across property as Frick Park, 14th Ward, for \$7,500.00	263, 350
844	Paul and Rena Haverson for removal of an underground electrical cable television system, 14th Ward in connection with electrical service to a private residence on Undercliff Road	779, 806

LEASE - LICENSE

BILL NO.	SUBJECT	PAGE
845	Duquesne Light Company, for removal of an overhead electrical system, 14th Ward, in connection with electrical service to a private residence on Undercliff Road	779, 806
846	Bell Telephone Company of PA for installation of underground system, 14th Ward in connection with Telephone Service to a private residence on Undercliff Road	780, 806
1209	Duquesne Light Company for installtion of cable wires and appurtenant facilities at the William Magee Playground, 15th Ward	1053, 1189

LEGISLATION

BILL NO.	SUBJECT	PAGE
565	City Solicitor to prepare necessary legislation for changes in the process by which the City does business under Section 1, Chapter 161, Contracts	465

LOBBYING

BILL NO.	SUBJECT	PAGE
557	Rental of 2 charter buses for elderly city residents to attend a lobbying effort in Harrisburg to support the MOM Bill, \$1,500.00	464, 517
95	Rental of Charter Buses lobbying efforts for elderly in Harrisburg for the MOM Bill, \$1,500.00	109, 162

MODIFICATION

BILL NO.	SUBJECT	PAGE
482	Approving Modivication No. 2 Crawford-Roberts Proposal dated March, 1990 Redevelopment Area Plan	379, 499
1313	Approving Modification No. 1 to Herr's Island Proposal Redevelopment Area Plan dated July, 1990, \$2.5 million	1205, 1386

PETITIONS

PUBLIC HEARINGS

BILL NO.	SUBJECT	PAGE
3173	Residents of Duquesne Heights residents to discuss the restricted width of Clarence Street and its deteriorated surface	1321
33	Residents of the City of Pittsburgh to discuss developed construction of the Boundary Street Parking Lot built by Mr. Sol Gross	27
209	Residents of Brighton Heights to discuss the rehabilitation of Shadeland Avenue Bridge	152
210	Residents of the City of Pittsburgh to discuss road conditions of Penn Circle North, South, East and West in the East Liberty community	153
211	Residents of the City of Pittsburgh and North Side Properties to discuss the Housing Authority of Pittsburgh's decision to grant Daniel Pietragallo funds associated with North Side Properties	153
287	Residents of City to discuss the Mayor's Annual Report on Military Spending with the impact of local economy	181
288	Residents of the Allentown Community to discuss the Zoning Board of Adjustments concerning the Whales Tale, Inc.	181
369	Residents of City to discuss Council Bill No. 315 "An Ordinance supplementing the Pittsburgh Code, Title Six, Unlawful Practices	263
430	Residents of Lawrenceville, 9th Ward to discuss traffic conditions at the intersections of Main and Butler St.	304
543	Residents of City, 16th Ward, to discuss a zoning change safety of the Community	422
605	Just Harvest Coalition regarding Hunger: Access to food in Pittsburgh	493
606	Residents of the City to discuss the nuisance of late night cruising in the South Craig neighborhood	493

PETITIONS

PUBLIC HEARINGS

BILL NO.	SUBJECT	PAGE
795	Residents of City to discuss the degradation of a City Neighborhood located at 3211-3211 Huxley Street	688
849	Residents of City to discuss the development of a marina/restaurant complex near Three Rivers Stadium by Nitro Entertainment	780
960	Residents of City to discuss the exclusion of moderately disabled students from the Summer Youth Employment and Training Program for Handicapped Youth this summer	839
1062	Discuss the River Safety Boat Regulations, Chapter 606 of the City Code	928
1099	Residents of the City Bill No. 1056 - to repeal Council's appropriation of \$195,000.00 for hiring a consultant to study the structure of the Pittsburgh Bureau of Fire	965
1252	Residents to discuss URA's plan to lease the 610 Third Avenue Parking Lot	1092
1253	Residents to discuss Chapter 179 which relates to Vendors and Peddlers	1092
1415	Residents of Homewood-Brushton and East Hills to discuss illegal drug trafficking in their neighborhoods	1292
1596	Bill Nos. 1490 - 1496 & 1506 - 1526, reprogramming of previously committed CDGG and bond fund monies for various park projects for the Ammon Recreation Center	1406
1746	Discuss Bill No's. 1593, 1594 & 1595 concerning proposed amendments to the Pittsburgh Code, Title VI, Article III, Dogs and Other Animals	1583

PROPERTY

ACT NO. 171 OF 1984

BILL NO.	SUBJECT	PAGE
26	Act No. 171 of 1984	26, 63
27	Act No. 171 of 1984	26, 64
28	Act No. 171 of 1984	27, 64
55	Act No. 171 of 1984	37, 125
76	Act No. 171 of 1984	62, 159
165	Act No. 171 of 1984	121, 190
205	Act No. 171 of 1984	152, 237
250	Act No. 171 of 1984	176, 266
465	Act No. 171 of 1984	346, 423
569	Act No. 171 of 1984	466, 539
649	Act No. 171 of 1984	570, 633
768	Act No. 171 of 1984	655, 753
769	Act No. 171 of 1984	655, 753
793	Act No. 171 of 1984	688, 782
821	Act No. 171 of 1984	736, 796
955	Act No. 171 of 1984	838, 900
1006	Act No. 171 of 1984	863, 934
1007	Act No. 171 of 1984	863, 934
1095	Act No. 171 of 1984	965, 1067
1096	Act No. 171 of 1984	965, 1068
1132	Act No. 171 of 1984	1007, 1125
1320	Act No. 171 of 1984	1207, 1256
1373	Act No. 171 of 1984	1253, 1307
1374	Act No. 171 of 1984	1253, 1307
1414	Act No. 171 of 1984	1292, 1344
1635	Act No. 171 of 1984	1429, 1525
1653	Act No. 171 of 1984	1456, 1562
1712	Act No. 171 of 1984	1545, 1621

ACQUISITION

BILL NO.	SUBJECT	PAGE
172	Acquiring of lands, buildings, and equipment at the LTV Pittsburgh Works, 16th Ward	122, 162, 239
365	Property owned by Rose Marie Balestrieri, in the 8th Ward, Block 26C, Lot 324, for the sum of \$28,000.00	263, 348
645	Property owned by Rose Marie Balestrieri, 411 Dargan Street, 8th Ward	569, 633
992	Property in 16th Ward owned by Albert LaMo- linare Block and Lot 13-F-160	860, 936

ACQUISITION

BILL NO.	SUBJECT	PAGE
1131	Property owned by Rose Marie Balestrieri, 8th Ward, \$28,823.88	1007, 1125
1429	Property owned by Edward M. Early and Sandra L. Early, for reconstruction of Grant Street, 2nd Ward	1302, 1390
1674	Jointly owned property, 26th Ward to the School District of Pittsburgh in con- nection with Perry Traditional Aca- demy	1519, 1589, 1621
1675	Jointly owned property, 26th Ward to the School District of Pittsburgh in con- nection with Perry Traditional Aca- demy	1519, 1589, 1621
1764	Property in 26th Ward owned by A.S.Y. Enterprises, Inc., relocation of street rights-of-way in connection with reconstruction Harpen Road	1608, 1686
1765	Property in 26th Ward owned by N. Enoch, relocation of street rights-of-way in connection with reconstruction of Harpen Road	1609, 1686

ACCEPTANCE

BILL NO.	SUBJECT	PAGE
767	Certain property owned by Timothy J. Rooney 26th Ward	655, 755
783	Certain property owned by University of Pittsburgh, 8th Ward	686, 782
983	Certain proerty from Lhormer Real Estate Agency Inc, Block and Lot 114-H-365, 27th ward	859, 943
1462	Property owned Shadyside Plaza Associates, 7th Ward, for sewer easement	1340, 1383

AMENDMENTS

BILL NO.	SUBJECT	PAGE
1442	Brice, Norman - Block 84J, Lot 151, 7th Ward for the sum of \$350.00, Repealing No. 686/1987	1304, 1380
522	Crawshaw, Frank - Block 162R Lot 2, 26th Ward, for the sum of \$350.00 - Item G of Resolution No. 17/90	418, 495

AMENDMENTS

BILL NO.	SUBJECT	PAGE
332	Farley, John B. and John, Jr. - 12 Heldman Street, 3rd Ward for the sum of \$350.00 Amending Item C of Resolution No. 839/88	231, 307
1634	Fritz, Thaddeus - Block 26-H, Lot 67 for the sum of \$450.00, Repealing No. 180/1990	1429, 1525
792	Houston, Carol M. - Block 10-G Lots 29 and 30, 5th Ward, for the Sum of \$850.00 - Item B of Resolution No. 450/90	687, 781
1443	Lindenfelser, Paul - Block 24E, Lot 178 for the sum of \$1,000.00, Repealing No. 877/1990	1304, 1380
1711	Pittsburgh Factors Co - Block 44-D, Lot 257 for the sum of \$350.00, Repealing No. 763/1990	1545, 1621
1094	Sandall, Robert A. and Sharon - Block 23E, Block 23J and Lots 270 and 51, Item H Resolution No. 605/90	964, 1067
822	Starks, Richard M. - Block 125R Lot 200, 14th Ward, for the sum of \$2,500.00 - Item G of Resolution No. 517/90	736, 796
568	Thomas and Dolores Friend - Block 32E Lot 295 St. Lucas Street for the sum of \$1,000.00 Item J of Resolution No. 606/88	466, 539

CONDEMNING

BILL NO.	SUBJECT	PAGE
316	Taking and condemning by the City for public health use certain property of Panther Hollow Corp, Sol N. Gross owner, 3810 Crooked Run Road, 15th Ward	229, 269

CONVEYANCE

BILL NO.	SUBJECT	PAGE
228	Dept. of General Services to convey the Borough of Crafton Volunteer Fire Department a Seagrave motor, \$1.00	173, 273
52	Property in the 10th Ward designated as Block 121 L, Lot part 129, to Gary A. and Frances M. Wilkins, sum of \$350.00	37, 125

CONVEYANCE

BILL NO.	SUBJECT	PAGE
1809	Property in the 5th Ward Block 10F, Lot part 198 to Macedonia Baptist Church, \$2,000	1615, 1667

DEDICATION

BILL NO.	SUBJECT	PAGE
621	Dedicating certain parcels LRT 650J, 650K, 650L and 650 M, 17th Ward (Port Authority)	537, 600
1299	Property owned by residents of Highland court, 11th Ward	1203, 1267
1300	Property along Eastern side of Nash Street, 23rd Ward	1203, 1267

SALE

BILL NO.	SUBJECT	PAGE
1700	American Catalogue Company, Ben Malamude - Block 5S 20th Ward for \$1,375.00 Saw Mill Run Boulevard	1544, 1634

TRANSFER

BILL NO.	SUBJECT	PAGE
53	Jointly owned property, Block 59-B, Lot 30, 29th Ward in connection with Becks Run Bridge	37, 125

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
1182	Allen Nellie - Parcel 5D, 2010 Chateau Street, 21st Ward, for \$200.00	1049, 1184
153	Barbara & George Stanich - Block 12K Lot 69	119, 206
562	Beartice Lewis and Mary Ellis - Block and Lot 23K-210 1314 Sherman Avenue, 22nd Ward	465, 545

URBAN REDEVVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
152	Breachmenders - Block 28A Lot 114, \$3,000.00	119, 206
1189	Brinton Executive Center - Block 12P Parts of Lots 227, 226 and 225, for the sum of \$45,000	1050, 1186
1185	Buncher Company - Block 48D Part Lot 75, 6th Ward, for \$1.00	1049, 1185
1187	Buncher Company - Block 48D Lot 75, Block 48H Lot 100, 6th Ward, \$377,303.00	1050, 1185
1192	Crawford-Roberts Projects - Block and Lot 2D Lot 323, 3rd Ward	1051, 1186
1790	Daniel J. & Morris Waldman - Block and Lot 2-M-211-C for the sum of \$300.00, 1st Ward	1613, 1677
1579	Fineberg, Arnold, Ralph and Serena - Block and Lot 2-D-326, 3rd Ward Residential Land Reserve Fund	1404, 1491
559	Garfield Julibee Corporation - Block 83J Lot 64 229 N. Fairmount Avenue, 11th Ward for \$4,000.00	464, 544
1180	Geyer Printing Co. - Block 26G Lots 25 and 29, 5th Ward for \$1.00	1048, 1184
1362	Graham, Albert - Block and Lot 2-D-318, 3rd Ward	1252, 1319
564	Helen Rauch - Parcel A, 2nd Ward, \$300.00	465, 545
560	Henry Russell, Jr. and Howard E. Watts, Jr. Block and Lot 175P, 209 East End Avenue, 14th Ward	465, 544
1190	Homewood-Brushton Dev. Corporation - Parcels 13A and 13B, 13th Ward for the sum of \$1,000.00	1050, 1186
558	Kelly, Deneen - Block and Lot 83J-64, 229 N. Fairmont Avenue, 11th Ward	464, 544
1186	Lawrenceville Industrial Park Area - Block 48D Part of Lot 75, 6th Ward for \$1.00	1049, 1185
155	Manchester Citizens Corporation - 1307 Pennsylvania Avenue, 21st Ward	119, 207
837	Manchester Citizens Corporation - Block 7B Lot 235, 21st Ward, \$1,200 Pennsylvania non-profit Corporation 1400 Nixon Street	778, 846
154	Marcella Bilski - Block and Lot 12K-69, for \$480.00	119, 206
1651	McCormack, Baron & Associates, Inc. - Parcels 11 - 18, 20 - 22 and part of 23, 3rd Ward	1455, 1572

URBAN REDEVVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
561	Montague R. Cooke- Block 175P Lot 19, \$1,600.00	465, 545
1578	Mysels, Maurice and Dolores - Block and Lot 2-D-327, 3rd Ward Residential Land Reserve Fund	1403, 1491
1184	North Side Civic Development Council - Block 23C Lot 129, 25th Ward	1049, 1184, 1210
1784	Paul & Charlotte Bobak - Block 3K Lot 90, for the sum of \$350.00, 17th Ward	1612, 1676
1782	Paul J. & Richard Miller - Block 61H Lot 384 and Parts of Lots 385, 386, 388, 389, 391 and 392 for the sum of \$5,000.00, 29th Ward	1611, 1676
1791	Properties - Residential Land Reserve Fund Vacant Property Review Committee	1613, 1677
993	Publicly owned Property - Block and Lot 29H -46, 4th Ward, Vacant Property Review Committee and Planning Commission	860, 936
1787	Publicly-owned Property - Block 29S Lots 102 & 104 for the sum of \$1.00 to William Roy and Gloria Jean Crum, 15th Ward	1612, 1677
1785	Publicly-owned Property - Block 35F Lot 69, for the sum of \$1.00 to Cynthia G. Godek, 19th Ward	1612, 1676
1783	Publicly-owned Property - Block 3K Lot 90, 17th Ward to Paul and Charlotte Bobak	1612, 1676
1580	Publicly-owned Property - Block and Lot 15-S-51, 18th Ward Residential Land Reserve Fund	1404, 1492
1789	Publicly-owned Property - Block and Lot 2-M-211-C, 1st Ward to Daniel and Morris Waldman	1612, 1677
590	Publicly-owned Property - Residential Land Reserve Fund Vacant Property Review Com- mittee and Planning Commission of the City	491, 580
1786	Ronald & Cynthia Godek - Block 35F Lot 69, for the sum of \$500.00, 19th Ward	1612, 1676
1364	Sheffield, Calvin - Block 22L, Lots 190 and 191, 21st Ward, \$400.00	1252, 1319
334	South Side Skating Rink - Public Property in the 16th Ward Block 12-P-152, 13-F-151, 13-E 220, 13-F-32, 13-F-1, 13-K-1, 13-E-280, 13-E-225, \$1.00	232, 351

URBAN REDEVELOPMENT AUTHORITY
PROPERTY SALES

BILL NO.	SUBJECT	PAGE
816	Sports Technology Group - Parcel E-7 in the 24th Ward, Redevelopment Area No. 45	735, 797
151	The North Side Civic Dev. Council Inc. - Public Property in the 25th Ward Block 23C Lot 129, for \$1.00	118, 205
563	Thomas and Marjorie Armstrong - Block 23K Lot 210, \$6,000.00	465, 545
1183	Various Redevelopers - Property Management and Maintenance program, \$1.00	1049, 1184
1178	Various Redevelopers Sideyards - URA of Pgh. Council District #2	1048, 1183
1792	Various Redevelopers - Various sale of properties	1613, 1677
1188	Wharton Square Shopping Center - Block 12P Parts of Lots 227, 226 and 225, for the sum of \$1.00	1050, 1186
1788	William Roy & Gloria Jean Crum - Block 29S Lots 102 & 104 for the sum of \$700.00, 15th Ward	1612, 1677

READ AND ADOPTED RESOLUTIONS

ALL MEMBERS

BILL NO.	SUBJECT	PAGE
349	Commending JUST HARVEST for their advocacy work for National School Breakfast Program to Pittsburgh	224

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
185	Congratulating Big Brothers/Big Sisters of Pittsburgh, Inc., on their Silver Anniversary	104
506	Designating April 22, 1990 as Earth Day 1990	371

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
507	Welcoming Terashima Jitsuro and members of the Japanese consortium to Pittsburgh	375
551	Supporting the creation of a major world class cycling event in Pittsburgh	407
577	Commending ST.A.R. (Students Against Racism) on their commitment to combatting bigotry	449
578	Commending Friends Indeed on their 15th Anniversary and their contributions to Pittsburgh	453
614	Calling upon the President of United States and the Secretary of State to urge the Soviet government to permit direct flights from the Soviet Union to Israel	485
615	Discussion - Bill No. 615 - Recognizing the achievements of NASA astronaut Lt. Colonel Charles F. Bolden, Jr.	487
631	Welcoming Steven Jobs to the City and wishes the business much success	527
632	Proclaiming the week of April 22 through April 28, 1990 as Victims' Rights Week	528
666	Proclaiming April 26, 1990 to be Free-Wheelers Volunteer Day in the City	566
829	Supporting The Civil Rights Act of 1990	727
830	Supporting The Racial Justice Act	728
1048	Saluting the Pittsburgh Center for Arts for its dedication to carry out its mission to encourage participation for the arts	885
1106	Urging the President and the Congress of U.S. to enact the Act for Better Child Care Services	955
1216	Commending the past and present Bloomfield Morris Champions	1033
1602	Declaring Friday November 2, 1990 as Eastside Day	1395

READ AND ADOPTED RESOLUTIONS

DAN COHEN

BILL NO.	SUBJECT	PAGE
1725	Calling upon Members of the Pennsylvania Congressional Delegation to support House Resolution #287	1531
1726	Declaring November 27, 1990 as "Dr. Barbara K. Shore Day" in the City	1533

READ AND ADOPTED RESOLUTIONS

MICHAEL COYNE

BILL NO.	SUBJECT	PAGE
84	Calling on Congress to enact Legal Immigration Reform	54
437	Showing gratitude to the Knights of Equity, Court No. 9, Daughters of Erin	293
438	Commending Arlene Stromberg for her dedication to the Squirrel Hill Urban Coalition and the City	294
658	Congratulating the congregation of the First Hungarian Reformed Church on their Centennial Anniversary	558
667	Congratulating the Reverend Alvin Coon, Pastor, and the entire congregation of St. John the Evangelist Baptist Church	567
684	Proclaiming the month of May 1990 as "Mediation Month" in the City	587
1015	Expressing support for various budget items	853
1016	Proclaiming Saturday, June 23, 1990 as Hazelwood Pride Day in the City	854
1047	Acknowledging the anniversary of the operations of the Three Rivers Center for Independent Living	884
1217	Proclaiming Tuesday, July 31, 1990 as Gene Kincaid Day in the City	1034

READ AND ADOPTED RESOLUTIONS

MICHAEL COYNE

BILL NO.	SUBJECT	PAGE
1218	Commending the entire staff of Bureau of Cable Communication	1036
1419	Extending best wishes to Gisela Yecies in her retirement	1281
1488	Proclaiming Saturday , October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1337
1642	Commending the members of the Iron Workers Local Union No. 3 and cele- brating their 1990 Annual Anniversary Banquet	1421
1752	Recognizing the Members of the Pittsburgh Flying Disc Society	1578
1889	Acknowledging sincere appreciation and support of the efforts of the SVA	1657

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
85	Declaring January 27, 1990, as SHERIFF EUGENE COON DAY in the City	54
217	Recognizing the contributions of the Kingsley Association towards Black History Month	145
218	Recognizing the month of February as AFRICAN-AMERICAN HISTORY MONTH	146
219	Recognizing the contributions of Cathy Milton to Black History Month	147
295	Recognizing Ms. Connie Portis for her major contributions to the City's Afri- can American Community	170
296	Commending the Pittsburgh Black Media Federation for positive influence on the African American Community	170
297	Acknowledging Mrs. Leola G. Bowick for her contributions to the African Amer- ican Community	171

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
298	Congratulating Luther J. Sewell, Jr. for his successful business career in Pittsburgh and committment to the African American Community	172
346	Recognizing Pittsburgh Black Nurses in action for commitment to qualify health care for all persons	221
347	Saluting James Franklin Henry for unconditional dedication to the African American community	222
348	Commending the Totally Dynamic Blue Cats dancing drill team to the African American community	223
380	Recognizing the Afro American Music Institute keeping the African American heritage alive	255
381	Recognizing Regis Darrow Bobonis, Sr. for his contribution to the City and African American community	256
382	Recognizing WR Lazard & Co. as a full service minority owned investment banking firm	257
383	Commending Dr. Vernell A. Lillie for contributions to the City and the Afro American community	258
475	Commending Keisha McBroom for the brave heroic efforts in saving her brothers and sisters lives, Friday February 2, 1990	337
476	Supporting the striking employees of Greyhound Bus Lines	338
579	Proclaiming the month of April as "Fair Housing Month" to commemorate the 22nd Anniversary of National Fair Housing Legislation	454
633	Supporting the week of April 15th as National Minority Cancer Awareness Week in the City	531
634	Welcoming the National Convention of Gospel Choirs and Chorus, Inc. to the City	532

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
659	Welcoming forty-first Spring State Workers Meeting of the Church of God in Christ, First Jurisdiction of West- ern Pennsylvania	558
660	Commending the Champions Association, Inc. for their commitment to youth and create a facility in honor of Sihugo Green	559
685	Extend the Convocation membership hospitality, kindness and an invita- tion to hold future Convocations in the City	590
720	Proclaiming Wednesday, May 16, 1990 as "Dolores Sanchez Day" in the City	621
721	Recognizing the Pittsburgh Region Cadillac LaSalle Club as an organi- zation devoted to commitment	623
777	Extending best wishes to Dr. David Satcher in his Presidency at MeHarry Medical College	648
778	Recognizing the outstanding role that Head Start plays in developing child- ren	648
801	Commending the dedication and all sacrifices that police officers make and give to the City	681
802	Extending Mrs. Bembry best wishes throughout her leisure years	682
831	Congratulating the Greater Pittsburgh alliance of Black School Educators	732
853	Commending the Mayor's Commission on Families for organizing a task force to inform young people that the choices they make will follow them for years to come	771
967	Commending Mother Bernice Groce for her dedication to the lives of others	820
968	Commending Mellon Bank and the organ- izers of the Mellon Jazz Festival 1990	820
1017	Joining in applauding Warren Baugh as a thoughtful and clear thinking in regard to another life	855

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
1018	Supporting the Allegheny Trails Council on its endeavors to foster a productive atmosphere for the youth of Allegheny County	855
1048	Saluting the Pittsburgh Center for Arts for its dedication to carry out its mission to encourage participation for the arts	885
1069	Welcoming all Job Corps Center Students to the City	925
1141	Commending First Lady Masire and the Charity Fund for their determination	996
1142	African American Labor Center selected Pittsburgh as a study site	997
1219	Commending the Homewood-Brushton YMCA Job Plus Program	1037
1220	Proclaiming August 22, 1990 as Elder Oscar Timothy Tillman Day in the City	1038
1221	Proclaiming July 26th as Connie Hawkins Summer Basketball League Day in the City	1039
1262	Declaring August 2, 1990 as Dr. Lloyd Henry Bell Day in the City	1083
1325	Proclaiming September 8, 1990 as Lambda Kappa Mu Sorority, Inc. Day in the City	1198
1352	Proclaiming September 13, 1990 as Luciano Pavarotti Day in the City	1219
1380	Recognizing Dr. Selma Hortence Burke contributed to American Culture	1243
1381	Proclaiming September 15, 1990 as Miada Springer Kemp Day in the City	1244
1382	Proclaiming September 15, 1990 as Mulgetta Birru Day in the City	1244
1387	Proclaiming the Week of September 23-30, 1990 as "World Summit For Children Week"	1250
1420	Urging all interested organization to join the Health Education Center	1282

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
1421	Proclaiming October 1, 1990 as Melba Moore Day in the City	1282
1422	Proclaiming September 24, 1990 as "Tribute to the Pirates Night" in the City	1283
1423	Proclaiming August 5, 1991 as Progressive National Baptist Association Week in the City	1284
1424	Recognizing September 21, 1990 as "National POW/MIA Recognition Day" in the City	1284
1454	Declaring October 7-13, 1990 as Mental Illness Awareness Week in the City	1299
1482	Proclaiming October 5 and 6, 1990 as Alliance of Black Telecommunications Employees Days in the City	1329
1554	Saluting "Grand Marshall" in the Afro-American Heritage Parade Association, Inc.	1362
1555	Proclaiming October 13, 1990 as Pittsburghers Day in the City	1364
1602	Declaring Friday November 2, 1990 as Eastside Day	1395
1603	Proclaiming October 23, 1990 as "Earl Jone, Sr. Day" in the City	1396
1604	Proclaiming October 26, 1990 as Joan Rivers Day in the City	1398
1643	Paying tribute to the founders of the Guardians of Greater Pittsburgh	1422
1687	Proclaiming November 13, 1990 as "Casper W. Weinberger Day" in the City	1514
1727	Proclaiming November 24, 1990 as "Mildred Wade Day" in the City	1535
1753	Proclaiming November 23, 1990 as John Edgar Wideman Day in the City	1580
1837	Recognizing the Western Pennsylvania Police Athletic League	1597

READ AND ADOPTED RESOLUTIONS

DUANE DARKINS

BILL NO.	SUBJECT	PAGE
1838	Recognizing the Champions Association and its capable Executive Director, William R. Neal, Jr.	1599
1891	Proclaiming December 18, 1990 as Harriet Tubman Guild Day in the City	1660

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
186	Urging all citizens to participate in a legislative lobbying event of February 7, 1990 at State Capitol in support of H.700, the Medicare Over-Charge Measure (MOM)	105
439	Welcoming the Conference attendees to the City critically-needed long-term endeavors	296
440	Declaring Sunday, March 11, 1990 as Bon Ami Temple No. 49 Day in the City	298
477	Designating March 17, 1990 as Lawrenceville Boys and Girls Club Day in the City	340
508	Proclaiming Tuesday, March 20, 1990, as Dr. Jack Hill Day in the City	376
552	Recognizing the crisis in the nursing homes and calling all area State Representatives and Senators to support the Bills in the State Legislature	410
580	Saluting Vintage Grand Prix Association	455
616	Petitioning the U.S. Congress and Administration to recognize the work being done locally by CDBG Program	488
686	Recognizing the important contributions which Pat and Carrie Brunett have made to the lives of school children in Bloomfield and Garfield communities	590

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
777	Extending best wishes to Dr. David Satcher in his Presidency at MeHarry Medical College	648
778	Recognizing the outstanding role that Head Start plays in developing children	648
829	Supporting The Civil Rights Act of 1990	727
830	Supporting The Racial Justice Act	728
832	Urging the State Assembly to secure an adequate appropriation for Medicaid assistance for dental service	732
879	Recognizing the Credit Union as a unique and distinct financial institution	789
969	Declaring the week of July 1 through July 7, 1990 as "Crime Prevention Week" in the City	822
1049	Proclaiming July 3, 1990 as "Greater Love Outreach Day" in the City	886
1050	Declaring July 1st to July 7th as "A Week of Solidarity with Southern Labor Organizing" and July 3rd as "Black Workers for Justice Day"	887
1107	Commending Mark S. Schneider for his achievements in paramedics and congratulating him for his receipt of "The Paramedic of the Year Award" for 1990	958
1222	Proclaiming the month of August to be Blockbuster Video Kidprint Month in the City	1039
1353	Proclaiming September 14, 1990 as American Textile Company Day in the City	1220
1354	Declaring Wednesday October 3, 1990 as National Health Care Action Day in the City	1221
1381	Proclaiming September 15, 1990 as Miada Springer Kemp Day in the City	1244
1382	Proclaiming September 15, 1990 as Mulgetta Birru Day in the City	1244

READ AND ADOPTED RESOLUTIONS

JIM FERLO

BILL NO.	SUBJECT	PAGE
1483	Wishing April Wierzbowski and other peer leaders success with the SMART MOVES program	1330
1488	Proclaiming Saturday , October 13, 1990 as Plumbers Local Union No. 27 Day in the City	1337
1556	Declaring October 22, 1990 to be Robert Leathers Design Day in the City	1364
1602	Declaring Friday November 2, 1990 as Eastside Day	1395
1605	Congratulating the Housing Authority and HUD for their efforts for the fight against drugs	1398
1644	Proclaiming Tuesday, October 30, 1990 as Blue Cross of Western Pennsylv- ania and Pennsylvania Blue Shield Caring Program for Children Day in the City	1423
1728	Declaring Saturday, November 24, 1990 as "Veteran Appreciation Day" in the City	1536
1729	Proclaiming Wednesday, November 28, 1990 as Community Savings Association Day in the City	1538
1839	Declaring December 7, 1990 to be Operation Care: Pittsburgh Day in the City	1600
1889	Acknowledging sincere appreciation and support of the efforts of the SVA	1657

READ AND ADOPTED RESOLUTIONS

MICHELLE MADOFF

BILL NO.	SUBJECT	PAGE
86	Expressing thanks and appreciation to H. Yale Gutnick for his contributions to the Make-A-Wish Foundation	56

READ AND ADOPTED RESOLUTIONS

MICHELLE MADOFF

BILL NO.	SUBJECT	PAGE
581	Proclaiming the week of April 1 through April 7, 1990 as Aids Awareness Week in the City	459
635	Commending the Dept. of Water employees for efforts to insure a sufficient quantity of water during the crisis to number of citizens	533
661	Proclaiming April 28, 1990 as Workers Memorial Day in recognition of workers killed, injured and disabled on the job	560
722	Supporting the creation of the model Multiracialism, Multiethnic and Multicultural middle school for the Pittsburgh School District	624
803	Celebrating the Mount Washington Community Branch of the Carnegie Library	682
1108	Discussion - Bill No. 1108 - Recognizing July 22-28, 1990 as "Child Support Awareness Week" in the City	959
1326	Honoring the Southwestern Pennsylvania Regional Planning Commission	1198
1425	Supporting Allegheny County in it's endeavor to secure immediate funding for the Airport Busway	1285
1557	Commending the National Council of Senior Citizens	1366
1661	Congratulating the efforts of all the contributors in the establishment of the Open Door	1451
1686	Declaring November 14, 1990 as National Retiree Volunteer Day in the City	1512

READ AND ADOPTED RESOLUTIONS

JAKE MILLIONES

BILL NO.	SUBJECT	PAGE
187	Proclaiming February 3, 1990 as MAN FORD SALES DAY in the City	107
350	Giving honor to Nelson Mandela for his life and leadership	225
509	Congratulating Nancy H. Lee for commitment to the field of social welfare and contributions to the community and the University of Pittsburgh	377
804	Extending commendations to the Allegheny Middle School Basketball Team on winning the City Championship	684
854	Congratulating Vivan Williams and the Staff of Madison elementary School for their continued effort to teach these children	773
855	Congratulating Doris Garret Brevard and the staff of the Vann Elementary School	773
1383	Offering its ovation to the Pitts- burgh Powe family	1245
1484	Recognizing October 14, 1990 as National Children's Day 1990	1332
1558	Congratulating the Hill District Federal Credit Union for 20 years	1367
1662	Acknowledging the Metropolitan Baptist Church for 140 years of service in Western Pennsylvania	1453
1688	Congratulating Marian Wright Edelman for receiving the 1990 Thomas Merton Award	1516
1890	Recognizing the Dept. of Finance and Pittsburgh Community Reinvestment Group for their collective efforts which led to the City of Pittsburgh receiving the National League of Cities' 1990 Technology Achievement Award in Finance for its Bank Rating Reinvestment Program	1658

READ AND ADOPTED RESOLUTIONS

BERNARD REGAN

BILL NO.	SUBJECT	PAGE
220	Declaring Tuesday, February 6, 1990 as Billy Conn Day in the City	148
375	Commending Franco Harris for his successful football career in Pittsburgh	249
376	Commending Jack Lambert for his successful football career in Pittsburgh	251
377	Commending Harold Betters for posi- tive influence to the City of Pittsburgh and to the field of music	253
378	Saluting Councilman Duane Adrian Darkins for his unconditional devotion to the City and the African American community	253
379	Saluting Councilman Jake Milliones for his unconditional dedication to the City of Pittsburgh and to the African American community	254
553	Congratulating the Greek community on the occasion of the 169th commemor- ation of Hellenic People's	412
636	Proclaiming Tuesday, April 17, 1990 as Bob Smizik Day in the City	535
662	Saluting each one of the City Police Officers for their sincere dedication	561
663	Proclaiming Tuesday, April 24, 1990 as Slovak Day in the City	562
687	Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	591
691	Supporting the efforts of the Ukrainian population and rally in Pittsburgh's Market Square	596
719	Proclaiming Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City	619
720	Proclaiming Wednesday, May 16, 1990 as "Dolores Sanchez Day" in the City	621
801	Commending the dedication and all sacrifices that police officers make and give to the City	681

READ AND ADOPTED RESOLUTIONS

BERNARD REGAN

BILL NO.	SUBJECT	PAGE
804	Extending commendations to the Allegheny Middle School Basketball Team on winning the City Championship	684
1019	Proclaiming Monday, June 25, 1990 as "Helen and Clyde Madden Day" in the City	856
1144	Congratulating Joseph Laquatra for his efforts for working with men and women throughout the City	1000
1145	Recognizing the Dublin, Ireland Women's Division I Basketball Club	1003
1263	Proclaiming August 7, 1990 as "Stephanie Sloan Day" in the City	1084
1264	Proclaiming Tuesday, August 7, 1990 as "National Night Out" in the City	1085
1384	Proclaiming the week of September 16-22, 1990 as Emergency Medical Services Week in the City	1246
1426	Proclaiming Saturday, September 29, 1990 as "Manchester Reunited Associa- tion Day" in the City	1286
1485	Proclaiming October 9, 1990 as Linda R. Bryant Day in the City	1332
1486	Declaring the week of October 7-13, 1990 as Fire Prevention Week in the City	1333
1487	Declaring the week of October 6-13, 1990 as Parents Without Partners Week in the City	1336
1553	Proclaiming this as the "Hate to Leave Blues Day" in the City	1361
1559	Proclaiming Tuesday, October 16, 1990 as Life Flight Day in the City	1367
1840	Proclaiming Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City	1601
1841	Extending commendation to the Perry Commodores High School Football Team on winning the City League Champion- ship	1604
1842	Proclaiming Tuesday, December 4, 1990 as Coach Bill Shay Day in the City	1605

READ AND ADOPTED RESOLUTIONS

BERNARD REGAN

BILL NO.	SUBJECT	PAGE
1863	Designating December 11, 1990 as Valspar Day in the City	1629

READ AND ADOPTED RESOLUTIONS

EUGENE RICCIARDI

BILL NO.	SUBJECT	PAGE
35	Joining in the Fiftieth Anniversary of the publications of <u>The South Pittsburgh Reporter</u> commending Roberta and Thomas Smith extraordinary services.	23
554	Congratulating the officers and mem- bers of the Allegheny County League of Women Voters for 70 years	415
617	Commending Arthur Ferraro and James "Butch" Williams for valiant efforts in rescuing Michael and Samantha Redman from their burning home	489
664	Congratulating Chester Jakoski for his long time dedication to the ideals of his ethic culture and heri- tage	563
665	Commending the efforts of the South Side Branch Library	565
667	Congratulating the Reverend Alvin Coon, Pastor, and the entire congre- gation of St. John the Evangelist Baptist Church	567
688	Congratulating Elder-Ado, Inc. for its commendable efforts on behalf of our older citizens	593
689	Recognizing Gemma Ommogrosso and David Christian for "Century of Living", Citiparks Century Club	594
779	Discussion - Bill No. 779 - Declaring the week of May 12 to May through 19, 1990 as "South Side Pedestrian Safety Week".	649

READ AND ADOPTED RESOLUTIONS

EUGENE RICCIARDI

BILL NO.	SUBJECT	PAGE
780	Saluting all the many volunteers for their selfless service to the community	650
781	Recognizing the commitment and service of the volunteers of the Brashear Association	650
805	Congratulating the winners of the Awards of Merit and all involved in the Streetface Program	685
856	Saluting Paint Your Heart out Pittsburgh	775
880	Congratulating Justin, David, Amy, and Shelby on their victory and wishes them much success in the upcoming national marble tournament	791
881	Saluting Walter Lease for his continued efforts that make the Allegheny County Marble Tournament successful	791
968	Commending Mellon Bank and the organizers of the Mellon Jazz Festival 1990	820
970	Declaring June 7, 1990 as Ukrainian National Heritage Day in Pittsburgh	825
1020	Saluting the residents of Sidney Square for their many contributions to our community	856
1048	Saluting the Pittsburgh Center for Arts for its dedication to carry out its mission to encourage participation for the arts	885
1051	Recognizing Michael Kutarna on his retirement as Steward of the John Kollar Slovak Literary Society	889
1069	Welcoming all Job Corps Center Students to the City	925
1223	Saluting the South Side Community Council for its work with "Don't Get Hooked on Drugs" Campaign	1041
1265	Saluting the Polish Falcons of America, Nest 118 on their 80th Anniversary	1086

READ AND ADOPTED RESOLUTIONS

EUGENE RICCIARDI

BILL NO.	SUBJECT	PAGE
1266	Congratulating Mr. and Mrs. Angelo DiFiore on the their 50th Wedding Anniversary	1087
1355	Recognizing the National Athletes	1223
1356	Recognizing the participation in the Citiparks Senior Center Program	1225
1606	Saluting Dr. Michael A. Dickerson on his 8th Anniversary as Pastor of the South Hills Baptist Church	1401
1689	Congratulating the winners in the "Don't Get Hooked on Drugs" contest	1516
1730	Congratulating District Justice Nancy L. Longo for her selection as the South Side Chamber of Commerce's Community Service Awardee	1539
1731	Saluting Mr. Hugn Brannan, III, on his selection as the South Side Chamber of Commerce's "Man of Year" 1990	1540
1732	Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1540
1754	Congratulating the Pittsburgh Slovak Catholic Sokol on its 85th Anniversary	1580

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
87	Commending the the Clean-up Crew for Hurricane Hugo for their help and support	56
293	Supporting Neighborhood Legal Services Association opposition to the funding cut-off efforts	165
294	Declaring Wednesday, February 21, 1990, John A. Brashear High School Vocational Education Day in the City	168

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
384	Commending MAGLEV Working Group for their accomplishments for the project between Downtown Pittsburgh and Pittsburgh International Airport	260
478	Welcoming the All Ireland Champion Dancers and Musicians to Pittsburgh	341
687	Urging the Mayor to take the proper steps in establishing a Sister Cities relationship between Pittsburgh and Katowice, Poland	591
690	Declaring Monday, April 30, 1990 as David Welty Day in the City	596
723	Declaring the first week of May, 1990 as "Working Women's Awareness Week" in the City	626
833	Proclaiming the week of June 4 through June 9, 1990 as "Motorcycle Awareness Week" in the City	733
857	Calling for commitment of all available resources for the City, Allegheny County, PA Dept. of Transportation, Port Authority and the Urban Mass Transit Association to ensure that project moves forward with the new Pittsburgh International Airport	777
971	PennDOT and the Federal Highway Administration move to convey the property in the lower Strip to the City and the URA	827
1021	Declaring Tuesday, June 26, 1990 as "Pittsburgh - Soviet Environment Appreciation Day" in the City	857
1052	Congratulating Karen Tobias Dance Company on being selected to represent the U.S. in the 1990 Australian Festival of the Performing Arts	890
1053	Congratulating Canevin Crusaders Softball Team on their brilliant regular and post season play	891
1070	Expresses support of Senate Bill 1705 and asks for swift passage to allow Pittsburgh to become more competitive in the tourism market	926

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
1143	Congratulating Mayor Sophie Masloff the 1990 "Riverperson of the Year" urging citizens to participate in the bountiful rivers	998
1267	Declaring Sunday, August 19, 1990 as "Jazz Day" in the City	1088
1275	Proclaiming September 2nd and 3rd as "Jerry Lewis Telethon Weekend" in the City	1147
1276	Observing September 3, 1990 as the United Labor Day Parade	1149
1327	Declaring September 4th, 5th, and 6th, 1990 "Sharing and Caring Days" in the City	1199
1385	Declaring September 16 through September 22, 1990 as "American Ceramic Society Week" in the City	1248
1386	Informing World Trade Center Associ- ation, Inc. of its desire to have a comprehensive world trade center	1248
1427	Offers assistance to Executives of Conrail in locating their National Customer Service Center in the City	1288
1455	Welcoming all those attending the National Apostolate of maronites Regional Convention	1300
1456	Proclaiming October 6, 1990 as German-American Day in the City	1301
1489	Proclaiming October 14-20, 1990 as "Gifts of Time for Children Week" in the City	1338
1663	Welcoming all those attending the Sixty-Eighth Annual Conference of National Legal Aid and Defender Association	1453
1664	Commending Mr. Mark Duffy for his 10 years service to the Youth of the City	1454
1665	Declaring Saturday, November 3, 1990 as "Dick Frank Day" in the City	1454
1732	Recognizing Mr. John Sobocinski and his wife, Alice, for patriotism in the Unity Flag Post Card Project	1540

READ AND ADOPTED RESOLUTIONS

JACK WAGNER

BILL NO.	SUBJECT	PAGE
1864	Declaring Saturday, December 15, 1990 as Michael Moorer Day in the City	1630

RECYCLING

BILL NO.	SUBJECT	PAGE
1369	Approving the 1990 Allegheny County Solid Waste Management Plan to the requirements of Mun- icipal Waste Planning, Recycling and Waste Reduction Act of 1988	1253, 1306

RESIDENTIAL PARKING

BILL NO.	SUBJECT	PAGE
741	Residential Parking Permit Program (RPPP) in Shadyside Community, Pittsburgh Chapter 549, \$1.00	652, 757
864	Residential Parking Permit Program in South Oakland, \$10.00	793, 874
865	Residential Parking Permit Program in Bloom- field, \$10.00	793, 874

SEWAGE FACILITIES

BILL NO.	SUBJECT	PAGE
1648	Sewage Service Agreement with the Allegheny County Sanitary Authority, Collier Town- ship and the Collier Township Municipal Authority	1455, 1526
1773	Sewage Service Agreement with Allegheny County Sanitary Authority, Borough of Franklin Park	1610, 1637
1500	Adopting Official Sewage Facilities Plan for the Iroquois Project	1371, 1411
1282	Adopting Official Sewage Facilities Plan for Ellsworth Plaza Plan	1201, 1231

SEWAGE FACILITIES

BILL NO.	SUBJECT	PAGE
1283	Adopting Official Sewage Facilities Plan for Fineview Crest	1201, 1232
862	Adopting Official Sewage Facilities Plan for Crawford-Roberts Projects	792, 844
1119	Adopting Official Sewage Facilities Plan for Armstrong Square	1005, 1068
673	Adopting Official Sewage Facilities Plan for Warriors Hill Plan of Lots	598, 670
360	Adopting Official Facilities Plan for Moss- field Court	262, 309
395	Adopting Official Sewage Facilities Plan for Down by the Riverside	299, 351
321	Adopting Official Sewage Facilities Plan for Squirrel Hill Nursey Townhouses	230, 309
193	Adopting Official Sewage Facilities Plan for Riverview Terrace	150
1464	Adopting Official Sewage Facilities Plan for South Side Local Development	1340, 1384

SUPPLEMENTING

BILL NO.	SUBJECT	PAGE
89	Supplementing Rule X of the Rules of Council for the Wednesday Standing Committees Meeting	101,123,153 181,263

TOBACCO COMPANY

BILL NO.	SUBJECT	PAGE
951	Prohibiting the City from investing monies pension funds stocks, securities or any other obligations of any tobacco company	837, 896

TRAFFIC COURT

BILL NO.	SUBJECT	PAGE
1709	Implementing a Visa/Mastercard payment program for traffic court	1545, 1621

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
192	300,000.00 - From Code Account 44, Workman's Compensation, to Code Account 1612-4, From Code Account 1612-5, Rental of Equipment to Code Account 1612-4, Salt	150, 192
199	75,000.00 - Wages and fringe benefits Pittsburgh Partnership Employment Program Repealing No. 429/1989	151, 236
251	75,000.00 - From Code Account PR86-02, Dept. of Parks and Recreation to the Dept. of Public Works's Code Account AR	176, 267
252	374,265.00 - From Code Account 1843, Senior Citizens Program to the Senior Citizens Program Trust Fund, Department of Parks and Recreation	176, 267
328	150,000.00 - From Code Account 1926, Municipal Obligation for Non-City Water Agencies to Code Account 1927, Refunds, Administration Division, Dept. of Water	231, 305
358	175,000.00 - From Code Account 1154-1, Rental of Motorized Equipment, to Code Account 59, Carnegie Library of Pittsburgh	262, 347
513	301,500.00 - From various City Department Code Accounts to Code Account 1132-7	417, 494
523	5000.00 - From Code Account 1400-2 Premium Pay to Code Account 1475-1 Premium Pay Dept. of Public Safety	418, 475
586	200,000.00 - From Code Account 49, Reserve Fund Sewage Service Charges, ALCOSAN to Code Account 1401, Miscellaneous, Dept. of Public Safety	490
600	100,000.00 - From Code Account 1043, Misc. Services to Code Account 1405, Equipment Dept. of Public Safety	492, 572
624	50,000.00 - From Code Account No. 46 Judgements to Code Account 1017 Misc. Services Office of the Mayor	538, 574
625	10,000.00 - From Code Account 46, Judgements, to Code Account 48, Financial Responsibility First Party Claims, \$5,000.00	538, 599
695	65,000.00 - From Code Account 1926 Non City Water to Code Account 1985	628, 709
708	700,000.00 - Various code accounts to Code Account (SSFSP)	630, 717

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
709	100,000.00 - From Code Account PR15, 3-10-10-0002-90 Dept. of Parks and Recreation to the Dept. of Public Works' Code Account AR630, 717	
787	29,000.00 - From Code Account 46, Judgements to Code Account 1103, Misc. Services, Dept. of City Planning	687, 755
791	10,000.00 - From Code Account 1046, Salaries & Wages to Code Account 1052-9, Workers' Compensation, Dept. of City Controller	687, 781
841	25,000.00 - From Code Account 1064, Supplies and Materials to Code Account 1067-9, Workers' Compensation, Dept. of Finance	779, 843
842	15,000.00 - From Code Account 1060, Salaries, Regular Employees, to Code Account 1061-1, Premium Pay, Dept. of Finance	779, 843
847	25,000.00 - From Code Account 1005-2 Printing Municipal Record to Code Account 1006-9 Workers' Compensation, City Council & City Clerk's Office	780, 796
869	5,000.00 - From Code Account 1106-9 Workers' Compensation Dept. of City Planning to Code Account 47-1 Union Bonuses, Dept. of Finance	794, 865
870	25,000.00 - From various Code Accounts to Code Account 43-1 Dept. of Finance	794, 865
887	8,580.00 - From Code Account 10, Accounts Payable and Code Account 46, Judgements to Code Account 1838, Miscellaneous Services Dept. of Parks and Recreation	828
891	100,000.00 - From Code Account 57, Social Security Fund to Emergency Flood Relief and Water Damage Trust Fund	829
957	5,000.00 From Code Account 1001-1, Miscellaneous Services, City Council to the Property Tax Reduction Trust Fund	838, 901
958	45,000.00 From Code Account 1005-3, Printing Code City Clerk to Code Account 1001-1, Miscellaneous Services, City Council	838, 868
1008	2,500.00 - From Code Account 1001-1, Miscellaneous Services to Code Account 1838, Miscellaneous Services, Dept. of Parks and Recreation	863, 904

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1022	3,000.00 - From Code Account 1480, Premium Pay to Code Account 1488, Repairs and to Code Account 1490, Equipment, Dept. of Engineering & Construction	893, 966
1024	5,000.00 - From Code Account 1001-1, Misc. Services to Code Account 1103, Dept. of City Planning	893, 966
1027	5,000.00 - From Code Account 1001-1, Misc. Services to Code Account 1103, Misc. Services, Dept. of City Planning	893, 967
1028	28,500.00 - From Code Account 1926, Municipal Obligations to various Code Accounts, Dept. of Water	894, 967
1029	125,000.00 - From Code Account 1977, Utilities to Code Account 1927, Refunds, Dept. of Water	894, 967
1057	320,000.00 - From Code Account 1926, Municipal Obligations to Code Account 1927-6 Dept. of Water	927, 1008
1084	113,000.00 - From various City Department Code Accounts to Code Account 1132-7, Utilities, Dept. of General Services	962, 1066
1085	5,000.00 - From Code Account 1001-1, Miscellaneous Services to Code Account 1838, Miscellaneous Services, Dept. of Parks and Recreation	962, 1009
1129	1,500.00 - From Code Account 1001-1 Miscellaneous Services, City Council to Code Account 1838 Misc. Services Dept. of Parks and Recreation	1006, 1124
1133	40,000.00 - From Code Account 1082, Miscellaneous Services, Dept. of Law to Code Account 1479-9, Worker's Compensation, Dept. of Public Safety	1007, 1125
1163	200,000.00 - From Code Account 1502-1 Education and Training to Code Account 1612-5 Rental of Equipment	1046, 1125
1164	35,000.00 - From Code Account 1612-1, Repairs to Code Account 1612, Materials Dept. of Public Works	1046, 1125
1165	32,000.00 - From Code Account 1063, Miscellaneous to Code Account 1610, Miscellaneous	1046, 1125
1194	40,000.00 - From Code Account 1043, Miscellaneous to Code Account 1045, Equipment Dept. of Mayor	1051, 1151

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1195	6,000.00 - From Code Account No. 1023 Miscellaneous Services to Code Account 1022-1 Premium Pay, Office of Mayor	1051, 1151
1196	6,000.00 - From Code Account No. 1023, Misc. Services, to Code Account 1024, Supplies	1051, 1151
1197	5,000.00 - From Code Account 30, Refunds to Code Account 50, Refunds, Dept. of Finance	1052, 1152
1206	150,000.00 - From Code Account 57-1, Retirement and Code Account 51, Departmental Postage to Code Account 1809-9, Worker's Compensation	1053, 1154
1231	1,100.00 - From Code Account 1001-1 Misc. Services to Code Account 1838, Misc. Services, Dept. of Parks and Rec.	1089, 1157
1243	1,500.00 - From Code Account 1001-1, Misc. Services, City Council to Code Acct. 1838, Misc. Services	1090, 1156
1250	2,000.00 - From Code Account 1001-1, Misc. Services, City Council, to Code Acct. 1103, Misc. Services Dept. of City Planning	1092, 1170
1316	15,000.00 - From Code Account 1049, Supplies to Code Account 1051, Equipment Office of City Controller	1206, 1230
1332	25,000.00 - From Code Account 1612-1, Repairs to Code Account 1150	1227, 1257
1341	1,748,000.00 - From Code Account 53-1, Index Code to various departmental accounts within the City	1228, 1258
1368	7,500.00 - From various Code Accounts to Code Account 50, Refunds, Dept. of Finance	1253, 1306
1392	270,000.00 - From various City Department Code Accounts to Code Account 1144, Fuel Dept. of General Services	1288, 1308
1393	60,000.00 - From various Code Accounts to various Code Accounts with the Dept. of General Services	1289
1408	90,000.00 - From Code Account 1922, Misc. Services to Code Account 51, Postage, Dept. of Finance	1291, 1343

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1409	22,000.00 - From Code Account 1926, Municipal Obligations to Code Account 44-1, Unemployment Insurance, Dept. of Finance	1291, 1344
1410	534,059.00 - From Code Account 1922, Misc. Services to various Code Account	1292, 1344
1438	1,000.00 - From Code Account 1001-1, Misc. Services, City Council to Code Account 1103, Misc. Services, Dept. of City Planning	1303, 1380
1439	1,000.00 - From Code Account 1001-1 Misc. Services, City Council, to Code Account 1838, Misc. Services Dept. of Parks and Recreation	1303, 1380
1444	400,000.00 - From 1990 Community Development Block Grant Trust Fund to the General Fund of the City	1304, 1381
1447	10,000.00 - From Code Account 1017, Misc. Services to Code Account 1103, Misc. Services	1305, 1381
1476	20,000.00 - From Various Code Account to Code Account 1971, Premium Pay	1342, 1407
1499	100,000.00 - From Code Account 1063, Misc. Services to Code Account 1501, Premium Pay, Dept. of Public Works	1371, 1409
1531	100,000.00 - From Code Account 1063, Misc. Services to Code Account 30, Refunds All Other Taxes	1376, 1430
1532	200,000.00 - From JTPA-1 Trust Fund to General Fund of the City	1377, 1430
1535	20,000.00 - From Code Account 1464, Equipment to Code Account 1463, Supplies Dept. of Public Safety	1377, 1431
1543	34,200.00 - From various code accounts within Dept. of Council and City Clerk's Office	1378, 1433
1565	363,000.00 - From Code Account CC, Community Communications to the General Fund, Bureau of Cable Communications	1402, 1482
1584	12,000.00 - From Code Account 1043, Misc. Services to Code Account 44-1, Unemployment Compensation Fund	1405, 1434

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1586	4,000.00 - From Code Account No. 1100 Misc. Services to Code Account 1101-9, Worker's Compensation, Dept. of Personnel and Civil Service Commission	1405, 1484
1588	35,000.00 - From Code Account 1446-1, Investigations Expense to Code Account 1443-6 In-Grade Pay, Bureau of Police	1405, 1484
1591	700,000.00 - To various code accounts from Code Account SPP and from Code Account SSFS	1406, 1485
1592	88,272.39 - From Code Account SSFSP to Code Account SPP	1406, 1485
1609	50,000.00 - From Code Account 1132-2, Telephone Service and Equipment to Code Account 1128, Misc. Services and Code Account 1132-7, Utilities, Dept. of General Services	1425, 1485
1665	100,000.00 - From Code Account No. 1169, Wages To Code Account No. 1165-9, Worker's Compensation, Dept. of Environmental Services	1518, 1588
1666	35,000.00 - From Code Account No. 1167, Wages to Code Account 1160, Salaries, Dept. of Environmental Services	1518, 1588
1667	35,000.00 - From Code No. 1173, Recycling Services to Code Account No. 1160-1, Premium Pay Dept. of Environmental Services	1518, 1588
1668	30,000.00 - From Code Account No. 1168, Wages to Code Account No. 1180, Wages Dept. of Environmental Services	1518, 1589
1672	7,500.00 - From Various Code Accounts to Code Account 50, Refunds, Dept. of Finance	1519, 1563
1673	15,000.00 - From Code Account 1063, Misc. Services to Code Account 1064, Supplies and Materials, Dept. of Finance	1519, 1589
1699	135,000.00 - From JTPA-1 Trust Fund to the General Fund of the City PSC-JTPA	1544, 1594
1713	50,000.00 From Code Account 1173, Recycling Services, Dept. of Environmental Services to Code Account 1461-3, Bureau of Fire	1546, 1621
1757	350,000.00 - To the Public Safety Complex Trust Fund	1607, 1692

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1769	15,000.00 - From Code Account 1133, Bureau of Operating Maintenance and Repairs to Code Account 1140, Automotive Dept. of General Services	1609, 1663
1770	20,000.00 - From Code Account 1927-9, Workers' Compensation, Dept. of Water to Code Account 1132-9, Workers's Compensation, Dept. of General Services	1609, 1664
1771	45,000.00 - From Code Account No. 1173, Recycling Services to Code Account No. 1167, Wages, Dept. of Environmental Services	1610, 1635
1772	610,000.00 - From Code Account 1608, Salaries and Wages, Regular Employees all within the Dept. of Public Works	1610, 1636
1793	38,000.00 - From Code Account 1922, Misc. Services Dept. of Water to Office Code 1043, Misc. Services, CIS	1613, 1664
1813	850,000.00 - From Various Code Account with Dept. of Public Safety and Code Account 42-1, Unsettled Wages, Dept. of Finance	1616, 1636
1814	119,300.00 - With various Dept. of Public Safety Code Accounts	1616
1817	5,000.00 To Code Account 1851-1, Premium Pay, Pittsburgh Zoo, from Code Account 1859, Equipment, Pittsburgh Zoo	1617, 1668
1818	25,000.00 - From Code Account 1801, Misc. Services to Code Account 1829, Misc. Services, Dept. of Parks & Recreation	1617, 1668
1819	20,000.00 - From Code Account 1812, Salaries and Wages to Code Account 1851, Wages Pittsburgh Zoo, Dept. of Parks & Recreation	1617, 1668
1820	50,000.00 - From Code Account 1173, Recycling Services Dept. of Environmental to Code Account 1853, Utilities, Pittsburgh Zoo, Dept. of Parks & Recreation	1617, 1668
1821	50,000.00 - From Code Account 1830, Salaries to Code Account 1808-9 Workers Compensation, Dept. of Parks & Recreation	1617, 1668

TRANSFER OF FUNDS

BILL NO.	SUBJECT	PAGE
1831	500.00 - From Code Account 1001-1, Misc. Services, City Council to Code Council to Code Account 1838, Misc. Services, Dept. of Parks & Recreation	1619, 1669
1846	30,000.00 - From Code Account, Municipal Obligations to Code Account 1861, Premium Pay, Dept. of Water	1632, 1692
1849	5,000.00 - From Code Account 1001-1, Misc. Services, City Council, to Code Account 1103, Misc. Services, Dept. of City Planning	1632, 1693

TRUST FUND

BILL NO.	SUBJECT	PAGE
1714	Special Trust Fund as the Tow Pound for deposits of fees	1546
1091	Authorization to make all legitimate administrative expenditures to implement Pittsburgh Partnership Employment Program, \$52,000.00	964, 1010
1388	Designating trust fund for "Fulton Theater Renovations"	1288, 1347
1538	Creating a special trust fund for Schenley Park Rink	1378, 1494
956	City Controller create a special trust fund as Property Tax Reduction Trust Fund from donations, contributions, grants or local funds provided for property tax reduction	838, 901
1147	Computerized Traffic Control System deposit of fund Installation of Computerized Traffic	1043, 1151
1148	Arlington Avenue Trust Fund deposit of funds, Reconstruction of Arlington Avenue	1043, 1151
601	Controller create a trust fund designated as the Drug Forfeiture Money Trust Fund	493, 582
735	Dept. of Public Works reclaimed asphalt at Heth Run at the rear of Zoo parking lot	650, 717
892	Establishing a trust fund as Emergency Flood Relief and Water Damage Trust Fund, grants from Private Citizens Businesses, Governmental Agencies	829, 866
1761	Creation of special trust fund known as Public Safety Complex Trust Fund	1608, 1705

TRUST FUND

BILL NO.	SUBJECT	PAGE
676	Designate a Solid Waste Trust Fund for deposit of monies from donations and contributions by Dept. of Environmental Services	598, 669
702	City Controller to create a special trust fund designated Special Events Cost Recovery Trust Fund	629, 720

TUITION PROGRAM

BILL NO.	SUBJECT	PAGE
1856	Implementation of Employee Tuition Reimbursement Program decreasing the amount of reimburseable from 80% to 50%	
1633,	Amending Section 1 (a) of Resolution No. 564 Tuition Program 133 1990	

VACANT REVIEW COMMITTEE

BILL NO.	SUBJECT	PAGE
1175	Vacant Property Review Committee Redevelopment Law, Act of May 25, 1945 Amending No. 116/1988	1048, 1182

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1830	A.G. Trimble Co.	\$990.00	1619, 1669
1541	A.G. Trimble Company	\$1,272.94	1378, 1432
1278	A.H. Mathias & Co.	\$10,261.15	1200, 1254
1607	A.H. Mathias & Company, Inc.	\$7,665.45	1425, 1524
363	AGA Gas, Inc.	\$2,280.00	262, 347
599	AT & T	\$152,450.89	492, 572
1128	Abby Medelson	\$1,500.00	1006
1331	Acme Clay Products	\$3,894.00	1227, 1257
1534	Action Supply Products, Inc.	\$2,750.00	1377, 1431
1502	Allegheny Business Machines, Inc.	\$1,907.70	1371, 1430
698	American Rent A Ride, Inc.	\$1901.35	628, 710
763	American Rent A Ride, Inc.	\$1103.61	655, 750
20	American Rent A Ride, Inc.	\$1,313.80	26, 62
21	American Rent A Ride, Inc.	\$1,025.86	26, 62

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1033	American Rent a Ride, Inc.	\$768.00	894, 968
46	American Rent-A-Ride	\$754.42	36, 233
413	American Rent-A-Ride, Inc.	\$2,328.18	301, 389
488	American Water Works Research Foundation	\$19,531.44	380, 473
69	Anna Halloran	\$825.00	61, 155
696	Arthur I. Young	\$1,000.00	628, 709
1238	Arthur I. Young	\$2,000.00	1090, 1155
1796	Arthur I. Young	\$2,000.00	1614, 1664
566	Ausbury Elliott	\$1,208.72	466, 571
158	BTR Water Measurements, Inc.	\$7,500.00	120, 187
197	Barbara W. and Howard J. Smith	\$1,988.46	151, 235
1343	Belva Cathcart	\$1,337.60	1229, 1294
1242	Bernard Klionsky	\$800.00	1090, 1230
1039	Bernie's Photo Center, Inc.	\$1,079.10	895, 969
196	Betty Aber	\$922.50	151, 235
1612	Betty Jane Kline	\$500.00	1426, 1486
159	Brookline Boulevard United Presbyterian Church	\$909.00	120, 187
1330	C & C Marine Maintenance Co.	\$8,361.48	1226, 1293
1279	CSX Transportation	\$1,014.88	1200, 1254
191	CSX Transportation	\$637.12	150, 235
671	CSX Transportation	\$2,484.79	597, 634
1146	CSX Transportation, Inc.	\$3,373.28	1043, 1150
997	Calgon Carbon Corporation	\$159,161.04	861, 933
1815	Carnegie Library	\$1,010.64	1617, 1667
24	Chester Kielb	\$1,065.00	26, 63
1631	Citizen's Transport, Inc.	\$1,000.00	1429, 1525
786	Cole Publications	\$1,830.00	686, 781
1411	Commonwealth of PA	\$31,070.00	1292, 1309
518	Commonwealth of Pa	\$2,984.34	418, 474
519	Commonwealth of Pa	\$2,571.59	418, 474
364	Commonwealth of Pennsylvania	\$1,400.00	262, 347
1756	Consolidated Rail Corporation	\$8,142.15	1607, 1663
691	Consolidated Rail Corporation	\$8,985.28	627, 709
1193	Copy World	\$1,595.00	1051, 1151
595	Copy World	\$1,595.00	492, 571
57	Corporate Computer Center	\$1,273.52	38, 125
1246	County of Allegheny	\$12,427.73	1091, 1157
1613	Craig Straw	\$100.00	1426, 1486
354	D & L Plumbing	\$12,930.78	261, 346
555	D & L Plumbing, Inc.	\$9,233.04	464, 539
1646	D & L Plumbing, Inc.	\$21,020.00	1454, 1561
1701	Dan Kinney	\$1,126.35	1544, 1619
160	David J. and Lori Ann Pierson	\$50,000.00	120, 187
1437	David Puccio	\$890.12	1303, 1379

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1703	David R. and Beverly A. Meyers	\$1,500.00	1544, 1620
246	David and Rochelle Gossat	\$810.00	175, 264
1110	Derek Martin and Associates	\$3,000.00	1003, 1123
1059	Diane Clark Hoffman	\$90,000.00	928, 1055
70	Divine Providene Hospital	\$5,038.57	61, 234
765	Donald J. Hohman	\$2,837.50	655, 750
839	Donald Surrena	\$3,000.00	778, 842
1704	Duane G. and Linda Spiler	\$1,000.00	1544, 1620
1345	Duquesne Light Company	\$1,483.18	1229, 1294
1536	E.H. Griffith, Inc.	\$3,523.80	1377, 1432
1802	Equibank	\$25,000.00	1614, 1665
760	Famous Telephone Supply	\$2,996.42	654, 749
1202	Ford's Flowers	\$7,177.25	1052, 1153
1205	Frank J. Zamboni & Company, Inc.	\$5,973.74	1053, 1153
808	G.A.I. Consultants, Inc.	\$7,036.32	734, 795
463	Gaglia Contractors & Landscap- ing, Inc.	\$5,000.00	345, 422
58	General Binding Corporation	\$998.00	38, 126
1615	General Electric Company	\$1,520.67	1427, 1524
705	Greenville Zoo	\$837.00	629, 715
1430	HJM Services, Inc.	\$3,250.00	1302, 1379
490	Herbert and Mable Meyer	\$1,192.00	380, 473
1542	Hon Company	\$24,342.60	1378, 1433
1733	Howard Hanna	\$800.00	1581, 1635
1537	Howard Hanna Real Estate Services	\$700.00	1377, 1432
527	Hozak Farms	\$2,143.21	419, 497
1367	James E. Richardson	\$1,350.00	1253, 1306
1702	James T. Marine	\$2,783.59	1544, 1619
161	Jesse L. and Anniebell Garrett	\$3,000.00	120, 188
1798	Jessie Mott	\$5,000.00	1614, 1665
1204	Joan Baker Designs	\$972.00	1053, 1153
1344	John Arthur and Sophie Fuhs	\$900.00	1229, 1294
77	John J. Buckley, Jr.	\$1,553.48	62, 160
996	John P. Place, Inc.	\$2,000.00	861, 933
45	John R. Filbert	\$3,666.66	36
44	Joseph J. Burzynski	\$2,500.00	36, 123
1855	Kahn & Associates, Inc.	\$2,500.00	1633, 1697
1583	Keystone Mailing Service, Inc.	\$2,941.51	1404, 1434
1630	Kimberly A. Nist	\$38,000.00	1428, 1524
528	Knepper Press	\$2,200.00	419, 497
1501	L&M Industries	\$11,851.10	1371, 1430
1335	L.B. Foster Company	\$9,557.50	1227, 1293
72	Lobel Winthrop & Broker	\$5,515.99	61, 155
699	Lobel, Winthrop & Broker	\$15,072.18	628, 710

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
317	Louis Viglione Contracting, Inc. Amending 963/1989	\$54,800.23	229, 267
1239	Lynne E. Harr	\$851.82	1090, 1155
1058	Marta Wilkin	\$7,500.00	927, 1008
489	Martin J. Dorfner, Sr.	\$2,238.66	380, 473
1342	Mary and Malachy Reddy	\$1,140.68	1228, 1261
675	Matrix Communications Assoc.	\$385.00	598, 634
1412	Maureen Brown	\$10,000.00	1292, 1309
1585	Mellon Bank Corporate Trust Admin.	\$32,591.91	1405, 1482
840	Mellon Bank Corporate Trust Administration	\$17,107.32	779, 842
491	Michael M. Gold	\$993.00	380, 474
1436	Michael and Diane Alexander	\$771.00	1303, 1379
1109	Middle States Steel Construct- ion Co.	\$41,821.08	1003, 1123
1075	Milton G. Holt	\$575.00	961, 1064
1118	Mistick, Incorporated	\$34,748.13	1005, 1123, 1209
1768	Mon Valley Petroleum	\$47,981.58	1609, 1663
1736	Mr. Michael Milberger	\$100.00	1582, 1635
1038	Mt. Lebanon Office Equipment Company	\$2,492.90	895, 969
678	Mt. Lebanon Office Equipment Company	\$4,984.00	599, 669
541	Mt. Lebanon Office Equipment Company	\$2,595.00	421, 497
335	Mt. Lebanon Office Equipment Company	\$7,662.00	232, 307
540	NBI	\$1,687.50	421, 475
420	NBI	\$16,784.00	303, 391
1210	NBI Corporation	\$2,023.39	1053, 1154
47	NCSC/USA Housing Dev. Corpor- ation	\$1,702.50	36
1004	Navaughn Terry and Zach Win- ston	\$2,000.00	862
1671	Nino R. Barcellino	\$10,650.00	1519, 1562, 1634
707	Noyes Marine Life	\$844.50	630, 716
1054	O & M Industries, Inc.	\$14,500.00	927, 1007
785	Ozalid Corporation	\$539.49	686, 780
1877	Pamela A. Smoot	\$2,890.00	1661, 1697
1240	Pamela Green	\$4,000.00	1090, 1155, 1210
1241	Paul L. and Geraldine Neidhard	\$2,251.00	1090, 1156
1314	Perkin-Elmer Corporation	\$1,000.00	1206, 1255
1707	Persons for professional pro- ctoring	\$2,000.00	1545, 1620

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
75	Persons who provide professional proctoring services to City	\$2,000.00	61, 159
492	Phillip Catanzaro	\$989.04	380, 474
1034	Physio control Corporate Headquarters	\$15,392.13	894, 934
529	Pittsburgh Cut Flower Co.	\$1,748.79	419, 497
706	Pittsburgh Hilton Hotel	\$11,889.05	630, 716
526	Public Stragies, Inc.	\$1,000.00	419, 495
604	Public Strategies, Inc.	\$1,000.00	493, 604
418	Public Strategies, Inc.	\$1,000.00	302, 391
173	Public Strategies, Inc.	\$1,000.00	122, 190
703	Public Strategies, Inc.	\$1,000.00	629, 714
872	Public Strategies, Inc.	\$1,000.00	794, 865
1322	Public Strategies, Inc.	\$1,000.00	1207, 1256
1061	Public Strategies, Inc.	\$1,000.00	928, 1008
1247	Public Strategies, Inc.	\$1,000.00	1091, 1157
1655	Public Strategies, Inc.	\$1,000.00	1456, 1562
1816	Public Strategies, Inc.	\$2,000.00	1617, 1667
357	River Salvage Co., Inc.	\$24,000.00	261, 346
973	Rivers Abstract, Inc.	\$1,175.00	857, 932
764	Robert and Joyce Turnbull	\$5,000.00	655, 750
766	Robert and Tina Pistella	\$4,800.00	655, 750
521	Ruth F. Weiford	\$8,750.00	418, 494
1797	Samuel Rende	\$7,350.00	1614, 1664
1077	Sciulli Brothers, Inc.	\$34,585.47	961, 1066
1357	Sciulli Brothers, Inc.	\$56,913.54	1251, 1306
1755	Sciulli Brothers, Inc.	\$13,942.89	1607, 1662
704	Sea World, Inc.	\$550.00	629, 715
1799	Sedgwick James of Pennsylvania, Inc.	\$30,000.00	1614, 1665
1800	Sedwick James of Pennsylvania, Inc.	\$20,000.00	1614, 1665
1706	Sharon and Mark Brentley	\$15,000.00	1545, 1622
677	Sister Cities Internationsl	\$600.00	599, 635
441	Sonitrol Security Systems	\$2,675.00	342, 422
1076	Sonitrol Security Systems	\$3,645.00	961, 1066
1328	Stadium Authority	\$1,748,204.00	1226, 1257
858	Surv-Kap	\$4,999.95	792, 864
1645	Swank Associated Companies, Inc.	\$3,000.00	1454, 1561
1705	Tamir Shaheed	\$1,185.00	1544, 1620
530	Taronga Zoo, Sydney Australia	\$999.77	420, 497
23	The Gardens at Negley	\$3,162.00	26, 63
300	The Simplex Group	\$5,000.00	227, 305
22	Theresa and Staley Szymczak	\$4,225.00	26, 63

WARRANTS

BILL NO.	SUBJECT	AMOUNT	PAGE
1120	Traco Co.	\$5,620.00	1005, 1124
1774	Traco Co.	\$5,620.00	1610, 1637
1680	US Air Cargo	\$1,910.91	1521, 1594
1203	United McGill Corporation	\$4,725.00	1053, 1153
819	Varieties Unlimited, Inc.	\$1,999.75	736, 795
1026	Varieties Unlimited, Inc.	\$1,930.63	893, 966
195	Varieties Unlimited, Inc.	\$2,536.30	151, 235
1741	Various Banks	\$4,240.85	1583, 1635
1801	Various Insurance Companies	\$40,000.00	1614, 1665
1854	Vested employees payment unused sick time		1633, 1694
414	WTAE Division, The Hearst Corporation	\$2,478.00	301, 390
175	Walter H. Drane Company	\$11,653.33	122, 192
25	Wilbert J. and Minnie L. Davis	\$15,000.00	26, 63
644	Wilbert Monroe	\$1,670.00	569, 632
71	William J. Novak	\$2,077.38	61, 155
162	William J. and Bonnie Kramer	\$3,500.00	121, 189
1366	William and Elsie Hines	\$3,000.00	1252, 1379

WATERLINE

BILL NO.	SUBJECT	PAGE
394	Release from the Corliss Street Roadways Corporation for waterline improvements, Chartiers Avenue Bridge 20th Ward	299, 405

ZONING

BILL NO.	SUBJECT	PAGE
1098	City Treasurer, Chief of Building Inspection and City Zoning Administrator begin a comprehensive review of all properties in the City which serve as sites of outdoor advertising	965, 1014

**MINUTES OF THE PROCEEDINGS
OF
THE COUNCIL**

**OF THE
CITY OF PITTSBURGH
FOR THE YEAR**

1990

VOLUME 124-A

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, January 2, 1990

No. 1

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 2, 1990

Mr. Perry, Chairman Pro tem:

This being the day and hour fixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council of the City of Pittsburgh, the One Hundred Twenty-Sixth Council will be in order.

Will Michelle Madoff and Mr. Wagner please escort Mayor Masloff into the Chambers?

We will now rise for the Pledge of Allegiance to the Flag.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Perry, Chairman Pro tem:

We are honored this morning to have with us Father Leo V. Vanyo, Pastor of Saint Paul's Cathedral, who will deliver the Invocation.

Father Vanyo:

Almighty and Eternal Father, if it be true that all authority comes from God then those who are to govern in our City hold their authority from you. For this reason, we ask your special blessing upon these women and men who today will take upon themselves this awesome responsibility of government.

Lord, send upon them your spirit of knowledge and understanding that they may clearly comprehend the problems and the needs of our City and in wisdom seek their solution.

Lord, send upon them your spirit of commitment and courage that they might steadfastly, even in the face of opposition, diligently seek and work for that which is best for our City and its citizens.

Lord, send upon them your spirit of reverence and awe for your law and your values, that in good conscience and deep attachment to your guiding principles they may carry out the duties of their office.

Finally, Lord, send upon them your spirit of reconciliation, that they may work together in harmony and thus bring to our beloved

City order, tranquility and peace.

All this, oh Lord, we ask in your name.
Amen.

Mr. Perry, Chairman Pro tem:

At this time I'd like to present the Certificates of Election.

Mr. Perry presents

No. 1 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Dan Cohen

was duly elected to the office of

**Member of Council
Four Year Term**

City of Pittsburgh - District 8

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

**Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn**

**Board of Elections
Ex Officio, The Return Board of
Allegheny County**

Also,

No. 2 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Michael F. Coyne

was duly elected to the office of

**Member of Council
Two Year Term**

City of Pittsburgh - District 5

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

**Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn**

**Board of Elections
Ex Officio, The Return Board of
Allegheny County**

Also,

No. 3 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Duane A. Darkins

was duly elected to the office of

**Member of Council
Two Year Term**

City of Pittsburgh - District 9

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 4 Certificate of Election
We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Jim Ferlo

was duly elected to the office of

**Member of Council
Two Year Term**

City of Pittsburgh - District 7

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of

Allegheny County

Also,

No. 5 Certificate of Election
We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Michelle Madoff

was duly elected to the office of

**Member of Council
Four Year Term**

City of Pittsburgh - District 2

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 6 Certificate of Election
We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Jake Milliones

was duly elected to the office of

Member of Council
Four Year Term

City of Pittsburgh - District 6

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 7 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Bernard J. Regan

was duly elected to the office of

Member of Council
Two Year Term

City of Pittsburgh - District 1

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

Tom Foerster, Chairman

Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 8 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Gene Ricciardi

was duly elected to the office of

Member of Council
Two Year Term

City of Pittsburgh - District 3

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and seal this twenty-seventh day of November, 1989.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Also,

No. 9 Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny, do hereby certify that at the Election held on the seventh day of November, 1989, in said County,

Jack Wagner
was duly elected to the office of

Member of Council
Four Year Term

City of Pittsburgh - District 4
in the County of Allegheny, Commonwealth of
Pennsylvania.

Witness our hands and seal this twenty-
seventh day of November, 1989.

Tom Foerster, Chairman
Pete Flaherty
Lawrence W. Dunn

Board of Elections
Ex Officio, The Return Board of
Allegheny County

Which were read, received and filed.

Mr. Perry, Chairman Pro tem:

We are honored to have with us this
morning The Honorable Lawrence W. Kaplan,
Judge, Court of Common Pleas, who will ad-
minister the Oath of Office to Dan Cohen.

Mr. Cohen:

I, Dan Cohen, do solemnly swear that I
will support the Constitution of the United
States and of this State, and the Charter of this
City, and that I will faithfully discharge the du-
ties of my office as Councilperson to the best of
my ability.

Mr. Perry, Chairman Pro tem:

We also have with us The Honorable
James J. Hanley, District Magistrate for the 15th
& 31st Wards, who will administer the Oath of
Office to Michael F. Coyne.

Mr. Coyne:

I, Michael Coyne, do solemnly swear
and affirm that I will support the Constitution of
the United States and of this State, and the Char-
ter of this City, and that I will faithfully dis-
charge the duties of my office as Councilperson
to the best of my ability.

Mr. Perry, Chairman Pro tem:

Yesterday, the Oath of Office was ad-
ministered to Duane A. Darkins by The Honor-
able Cynthia Baldwin, Judge, Court of Common
Pleas.

Also, we have with us The Honorable
Kate Ford Elliott, Judge, Pennsylvania Superior
Court, who will administer the Oath of Office to
Jim Ferlo.

Mr. Ferlo:

I, Jim Ferlo, do solemnly swear that I
will support the Constitution of the United
States and of this State, and the Charter of this
City, and that I will faithfully discharge the du-
ties of my office as Councilperson to the best of
my ability.

Mr. Perry, Chairman Pro tem:

Next we have The Honorable Justin M.
Johnson, Judge, Pennsylvania Superior Court,
who will administer the Oath of Office to
Michelle Madoff.

Michelle Madoff:

I, Michelle Madoff, do solemnly swear that I will support, obey and defend the Constitution of the United States and of this Commonwealth, and the Charter of this City, and that I will faithfully discharge the duties of my office as Councilperson to the best of my ability.

Mr. Perry, Chairman Pro tem:

Next, we have The Honorable Walter R. Little, Judge, Court of Common Pleas, who will administer the Oath of Office to Jake Milliones.

Mr. Milliones:

I, Dr. Jake Milliones, do solemnly swear that I will support the Constitution of the United States and of this State, and the Charter of this City, and that I will faithfully discharge the duties of my office as Councilperson to the best of my ability.

Mr. Perry, Chairman Pro tem:

Yesterday, the Oath of Office was administered to Bernard J. Regan, by The Honorable Thomas P. O'Malley, Sr., Mayor of Castle Shannon.

Next, we have The Honorable Catherine Baker Knoll, Pennsylvania State Treasurer, who will administer the Oath of Office to Gene Ricciardi.

Ms. Knoll:

Good morning, honored guests, Councilman-elect Ricciardi, his proud family, and to the many friends here of Gene Ricciardi. What an exciting day this is for all of us.

About ten years ago at Duquesne University I met a very intelligent, sincere and inquisitive young man. We later served together on many important political campaigns in Al-

legHENY County, including my own. I came to respect the quiet and dedicated manner by which this young man conducted himself. He always listened to people's problems and concerns. He made a promise to me that some day he would be in the position to help them. That young man was Gene Ricciardi.

In 1984, during my campaign for the office of State Treasurer, Gene had a very important part of the inner circle. He traveled across the Commonwealth many times for me and with me. He learned a great deal more about the concerns and the problems of the people. I recognized then that Gene was a person who some day would hold an elected office by which he would be able to help people from his position of authority and responsibility.

Eugene had additional assets that I will never forget and many of you are not aware of. He had the love and guidance of a wonderful mother and father, Nick and Adelaide Murry Ricciardi. He always made certain that he did all that was humanly possible to do to help his late sick father and his late ill mother.

I imagine this is what is happening in Heaven today. Nick and Adelaide are telling the other angels that their son, Gene, is going to be one of the best Councilmen in the City of Pittsburgh. I can visualize both of them saying, "Eugene, don't ever forget where you come from, and don't ever stop helping people."

And knowing how much Gene loved and respected his parents, I know that he will never forget where he came from and that he will be an untiring public official trying to help the constituents of Pittsburgh. Gene will be one public official that you will be hearing many things about in the future.

Mark Twain once said, "The miracle or the power that elevates the few, is to be found in

their industry, their application, and their perseverance under the prompting of a brave, determined spirit." In my opinion, that quote was meant for Gene Ricciardi.

And now it is my honor and pleasure to swear Gene Ricciardi into office and to ask his sister, Connie, to come up and hold the Bible while I give the Oath.

Mr. Ricciardi:

I, Gene Ricciardi, do solemnly affirm that I will support the Constitution of the United States and of the Commonwealth of Pennsylvania, and the Charter of this City, and that I will faithfully discharge the duties of my office as Councilperson to the best of my ability.

Mr. Perry, Chairman Pro tem:

Next, we have The Honorable W. Terrence O'Brien, Judge, Court of Common Pleas, who will administer the Oath of Office to Jack Wagner.

Mr. Wagner:

I, Jack Wagner, do solemnly swear that I will support the Constitution of the United States and of this State, and of this Commonwealth, and the Charter of this City, and that I will faithfully discharge the duties of my office as Councilperson to the best of my ability.

Mr. Perry, Chairman Pro tem:

Being that the newly elected and re-elected Members of Council have been duly sworn in, the Clerk will call the roll.

PRESENT:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	

Mr. Perry, Chairman Pro tem:

The next order of business is the nomination and election of the President of Council.

Mr. Regan:

Mr. Perry, at this time it brings me great pleasure to nominate in the Number One City in the United States, Mr. Jack Wagner for President of City Council.

Mr. Perry, Chairman Pro tem:

Mr. Wagner has been nominated.

Are there any more nominations?

Mr. Coyne:

Mr. Chairman, I would like to nominate Councilman Jim Ferlo for the position of City Council President.

Mr. Perry, Chairman Pro tem:

Mr. Ferlo has been nominated.

Are there any more nominations? Any more nominations? Any more nominations?

I'd like to entertain a motion to close nominations.

Michelle Madoff:

So moved.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Perry, Chairman Pro tem:

Clerk, please call the roll on the names of Mr. Wagner and Mr. Ferlo for President of City Council.

Mr. Cohen:

Councilman Ferlo.

Mr. Coyne:

Mr. Ferlo.

Mr. Darkins:

Jack Wagner.

Mr. Ferlo:

Jim Ferlo.

Michelle Madoff:

Jim Ferlo.

Mr. Milliones:

Jack Wagner.

Mr. Regan:

The Honorable Jack Wagner.

Mr. Ricciardi:

Mr. Wagner.

Mr Wagner:

Jack Wagner.

MR. FERLO - 4

MR. WAGNER - 5

Mr. Perry, Chairman Pro tem:

Mr. Wagner has been elected.

Mr. Ferlo:

Mr. Chairman, Point of Personal Privilege. I'd like to move unanimity on the position and election of Councilman Wagner to the Office of President of Council.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Perry, Chairman Pro tem:

Mr. Wagner has been elected unanimously by Members of Council.

Judge O'Brien will administer the Oath of Office to Mr. Wagner.

Mr. Wagner:

I, Jack Wagner, do solemnly swear that I will support the Constitution of the United States, of this Commonwealth, and the Charter of this City, and that I will faithfully discharge the duties of the Office of President of City Council to the best of my ability.

Mr. Perry, Chairman Pro tem:

Members of Council, ladies and gentlemen, may I present to you the President of the Council of the City of Pittsburgh, Jack Wagner.

The Chair:

Thank you, Mr. Perry. Thank you, Judge O'Brien, Reverend Clergy, Honorable Mayor Sophie Masoff, The Honorable Members of the Judiciary that are with us today, hon-

ored guests, family and the many friends that are with us today, and my colleagues, Councilman Cohen, Councilman Coyne, Councilman Darkins, Councilman Ferlo, Councilwoman Madoff, Councilman Milliones, Councilman Regan and Councilman Ricciardi. I want to thank you for showing the support you have shown in me by making me the President of this esteemed body.

I know in the last several weeks there has been a whole lot of lobbying going on, and the one thing I can say to all of you and to all of you here today, without a doubt I have seen in the five new members of this Council an overwhelming support for this Council to move forward, and I believe also that same feeling is present with the four members that are coming back to this Council.

We are going to have a great Council and this Council is going to truly reflect the professionalism and the dignity of the City of Pittsburgh.

Thank you.

Prior to acceptance speeches of each of the nine individual Councilmembers, I would like to introduce The Honorable Mayor of our great City, the first woman to be elected Mayor in the history of the City of Pittsburgh, and a person to be sworn in in precisely one hour and twenty-nine minutes. The Honorable Mayor Sophie Masloff.

Mayor Masloff:

Newly elected Councilmembers, Reverend Clergy, ladies and gentlemen, all, I spent many years in this room and I know what an awesome job is before all of these people in front of me. But I know they're capable and I know they'll do the job, and I'm so pleased to be here. This is an exciting new chapter in the history of Pittsburgh city government.

You know, there are a lot of gloomy predictions out there. Some have predicted gloom and doom and others talk about fragmentation or the Council being too parochial. They say that no one will have perspective for the good of the whole City. Well, I don't share that view. Not at all. And I know every person here and I don't think that they share it either.

Let's look at today as a new beginning, a new beginning for the great City of Pittsburgh, full of opportunity and ready to make a real difference in our lives.

I congratulate all of you and I'm looking forward to working with all of you for the good of the Pittsburgh family.

Thank you.

The Chair:

Thank you, Mayor.

Now is the time to call on each newly elected Councilmember to make their acceptance speech.

It is a great honor to introduce from Council District 8, Councilman Dan Cohen.

Mr. Cohen:

Good morning. Father Vanyo, Reverend Clay, Mayor Masloff, Judge Kaplan, other members of the judiciary, my new colleagues, family and friends. I would like to begin by congratulating Councilman Wagner on his election to Council President. I would also like to congratulate Mayor Masloff on her election as Mayor of Pittsburgh and on her inauguration this afternoon. I look forward to working closely with both of you.

I am truly honored to be able to take this Oath of Office and to stand before you today. I would like to thank the hundreds of people who contributed their time, effort and resources to my campaign. They are far too numerous to mention, but too special to ever forget. My three most loyal supporters, my mother, my father and my grandmother, are here today.

Most important, I would like to thank the voters of Bloomfield, Friendship, Oakland, Point Breeze, Shadyside and Squirrel Hill for the privilege to serve on this body. You have put your trust in me and it is a trust which I hold sacred.

Today marks a new beginning for the City of Pittsburgh, a new decade, a newly elected Administration, and a new City Council elected under the district system. With this new beginning comes new opportunities and new challenges.

We are all proud of our City, and with good reason. We have vibrant neighborhoods, a thriving cultural environment and a great quality of life. Moreover, we have the greatest asset of all -- the people of Pittsburgh. People who believe in our City and work hard to ensure its future. People who know that our City has made remarkable strides during the past decade and miraculous ones since the 1950's.

There is no city in America that has remade itself as Pittsburgh has. People in other cities may dream of urban rebirth. But Pittsburghers have more than dreams. We have the reality of Renaissance I and Renaissance II. The smoky Steel City of forty years ago is today a shining city on the rivers. We know that there is no limit to what the people of this City can accomplish if we pull together to achieve a common goal. We know it because we did it once. And we can do it again.

But we can only do it by working together. By confronting the problems facing Pittsburgh, not each other. And that is why I believe that a new era of cooperation, not confrontation must begin right here on City Council. And begin today.

There are great challenges ahead. First, we must bring new jobs and business to our City. Pittsburgh has a great package of assets to sell. We must expand our promotional and marketing activities, and aggressively bring new business here. Moreover, we must do more to assist Pittsburghers who have the guts to start their own businesses.

The economic revivals of Pittsburgh's past were achieved through a partnership between business and government. David Lawrence and Richard King Mellon forged this partnership in the 1950's and it was renewed by Mayor Caliguiri in the late 1970's and 1980's. We must create a new partnership for the 1990's, a partnership leading to a new prosperity.

But Pittsburgh's next economic revival must not leave anyone behind. Because if it does not improve the plight of those struggling to make ends meet, then it is no Renaissance at all.

Second, we must stop the exodus of Pittsburghers from our City and begin to bring them back. Pittsburghers are victims of a fundamentally unfair tax system in which City residents still pay much more in taxes than non-residents who work in the City and use City services.

We must aggressively lobby Harrisburg for revenue sharing and for the right to shift more of the tax burden to non-City residents. If we accomplish this, then we can lower the wage tax even further and begin to reduce the amusement, mercantile and business privilege taxes.

Third, we must work to lower the City's increasing crime rate. We need a better allocation of police resources, active neighborhood watch programs, and more police back on the beat, walking the streets in high crime areas. Every Pittsburgh resident has a right to a safe home and a safe neighborhood.

Fourth, we must work to preserve and restore Pittsburgh's neighborhoods, because they are the source of Pittsburgh's strength. We must protect our neighborhoods against overdevelopment, absentee landlords and uses which violate the zoning laws and common sense. Moreover, we must not hesitate to direct resources to those neighborhoods with special needs.

Fifth, we must not lose the opportunity created by our greatest natural asset -- the three rivers. Our rivers were the reason our forebears settled in Pittsburgh and they must be a major stimulus to Pittsburgh's revitalization. We have the chance to build on a magnificent natural showcase by creating a series of parks, marinas, and shopping areas, all with convenient public access. But we must develop a coordinated plan to reach this goal.

Finally, and most important of all, we must take action to restore confidence in City government. In the wake of the recent bribery scandal, we have an obligation to send a message to the people of Pittsburgh that we regard ethical violations by public officials as intolerable. As Grover Cleveland once said, "A public office is a public trust". I look forward to working with the Administration and Council to craft new ethics legislation that is both forceful and fair.

This new Council -- the first in 80 years elected by districts and not by the City as a whole -- carries with it both a promise and a threat. The threat is clear -- that each Councilmember will be concerned only with his or her own neighbor-

hoods and not with the needs of all of Pittsburgh. The result would be more divisiveness and more discord.

But it doesn't have to be that way. The promise is that we can energetically promote the interests of our districts without losing sight of the interests of Pittsburgh as a whole. Each of our districts, and the 88 neighborhoods they encompass, are inextricably linked to each other and to the fate of the entire City.

Because the fact is that the future of Bloomfield is tied to the future of Brookline. The future of Shadyside is tied to the future of Morningside. And the future of Squirrel Hill is tied to the future of the Hill District.

I stand here today filled with hope that we can fulfill the promise. That we can combine the wisdom and experience of the veteran Councilmembers with the energy and fresh ideas of those of us who are newly elected. That we can work together to create a City Council that is as good as the people it represents -- the people of Pittsburgh. With courage, compassion, and the spirit of cooperation that has made Pittsburgh great, I am confident that we can make our City even greater.

Thank you.

The Chair:

Thank you, Councilman Cohen

It is now a great honor to introduce from Council District 5, Councilman Michael Coyne.

Mr. Coyne:

Good morning everyone. I'd like to thank you for taking the time to attend these very sincere ceremonies this morning. I'd also like to thank my family and friends who are here, sup-

porters who supported my campaign in many different ways as we door-knocked through District 5. I also would like to thank the people of the entire City of Pittsburgh. Without you, two years ago I wouldn't have been elected. You gave me your trust then and you've given it to me again for the voters in District 5, and to that I am eternally grateful.

During my first term on Council, I had the opportunity to learn a great deal about the operation of City government and the important we can and must play in that operation. For this government to operate efficiently and effectively, it is imperative that Council understand the importance of governmental cooperation because cooperative efforts with the Mayor's Administration can lead to meaningful programs and initiatives.

Council and the Mayor cannot be rivals for power, but must be partners for progress. If we do not work at strengthening this partnership, it is only the public that suffers. However, that spirit of cooperation cannot be permitted to infringe upon the independence of this body. The City Charter assigns both joint and separate rules to the Council and the Mayor's Office. Both must hold each other in mutual respect but neither can permit or attempt any trespass

In addition, if we are to be successful, we need a government that is honest, a government that is efficient, a government that is dedicated, and a government that is committed solely to the public interest. But regardless of how diligently we work towards achieving these goals, our efforts are in vain if, in the eyes of our constituents, there exists any perception of impropriety. No responsibility of government is more fundamental than the responsibility of maintaining the highest standards of ethical behavior by those who are elected to public office. There can be no descent from that principle, that all officials must act with unwavering integrity,

with absolute impartiality, and complete devotion to the public interest.

Today, I pledge to you that I will continue to work for legislation that would prohibit discrimination of any type in the City of Pittsburgh. I will also continue to fight for a comprehensive code of ethics. I will work to see that this issue is given top priority. The Mayor has appointed a committee to study this matter and I commend her for this effort. But we, as elected officials, are forced to deal with the perception of unethical behavior on the part of this body.

Fellow members, I believe that we cannot wait for the Ethics Committee's recommendations. We must act as soon as possible to pass an ethics bill.

In closing, let me reiterate that I will continue to work for a rational and an independent Council. I will work with each member of this body to accomplish this, and I look forward to the coming term.

Thank you very much.

The Chair:

Thank you, Councilman Coyne.

It is a great honor to introduce from Council District 9, Duane A. Darkins.

Mr. Darkins:

Mr. President, I had so much to say yesterday, so I really don't have much to say today. But I would just like to leave this with you -- I have an exceptional life. A passage of the Scripture says, "Many are called and few are chosen." So, I was called of the Lord and the people chose me to serve on City Council. Let's get started with our work.

The Chair:

Thank you, Councilman Darkins. Not nearly as brief as yesterday.

It is a great honor to introduce from Council District 7, Councilman Jim Ferlo.

Mr. Ferlo:

Thank you, Jack. I wish I could be as brief as my colleague, Reverend Darkins, but I'll take a couple extra minutes.

I want to first congratulate Jack Wagner to his rise as President of City Council; I think he'll do a great job. And I certainly want to thank those of you on Council for nominating me and supporting me, but I stand ready, willing and able to work with Councilman Wagner and all of the colleagues here today. I think we all have a responsibility to rise to the occasion, work together, and let's really work hard for the improvement of this City.

I'm very honored to be here this morning and I wish everyone good morning and Happy New Year. And to all of the distinguished clergy and elected officials, to my many friends and supporters, and certainly to the public who is out there both in this room and watching the City cable, I just want to say thank you very much.

To the many people who supported changing the manner in which we elect City Council from the at-large to the by-district process, congratulations, because today is also your day. To the many citizens and political leaders who oppose Council by district, I implore you to give the new system and opportunity to work and to find new ways to become an effective part of this new process.

On this day, I am reminded of the contributions of Art Holloway and Bob Kennedy,

Gabe Kish and other friends and others who helped to frame our Home Rule Charter and who wanted this institutional reform to arrive much sooner. In fact, I believe Bob Kennedy is out in the audience and I'd like him to stand and receive some recognition. Bob Kennedy, one of the original authors of the Home Rule Charter and one of the two, along with Mr. Holloway, who refused to sign off on the original Charter because of, fundamentally, the district Council issue. Bob Kennedy, a long time friend and community activist and just recently is honored with his 88th birthday. He said that he's ready to go into the next century full steam ahead.

We now have a legislative branch, I believe very strongly, that has the potential to be the most productive and accountable in the history of our City. We must strive to make this so because the needs and aspirations of our people are so great. Our citizens deserve and expect nothing less. I am proud and feel it a great privilege to be able to make a contribution towards this objective.

Along with my family and many supporters, I want to thank the voters of Council District 7, the residents of Polish Hill and Lawrenceville, Morningside and Stanton Heights, Garfield and Highland Park, my own community, Bloomfield and East Liberty, who gave me their vote of confidence and extended me the honor of being the first elected district representative.

Rest assured, my level of activism on the critical issues confronting these communities and our City will not be abated in my second term of office. My cooperative relationship with the Mayor and her new administrators, with various business and community leaders, and the relationships that are now present with the new leaders who now grace the Council table, will enable me and my staff to be even more productive this year.

This year I will continue my work on a broad range of issues and problems confronting the residents of the neighborhoods I have been elected to represent. I feel the best way for me to respond to the parochial needs of the communities that make up my district is to work hard and creatively with my Council colleagues to improve the quality of life for our residents City-wide. I will work to make sure and to strive that no dichotomy exists between the parochial needs of any one of our districts and the needs to advance a progressive agenda for our City.

This past year my staff and I have worked diligently to respond and resolve hundreds of citizens' complaints and inquiries into my office. We have been a vital part of every major issue and project being advanced by citizens and groups working to improve the neighborhoods that comprise District 7. We have attended hundreds of planning meetings and have applied the extra effort needed to work with citizens and the Administration to get things accomplished. We have offered numerous resolutions and ordinances addressing important issues facing our City. This commitment and hard work will continue, and that I pledge.

I would personally, at this time, like to publicly thank my friend and former Executive Assistant, Eric Feder. I want to thank Eric for his public service and his tremendous contribution not only to my office but to the people of Pittsburgh. Beginning today, Eric will join the administrative staff of Councilman Dan Cohen.

In addition to Gerri Hunter and Carolyn Hook of my office, I am now joined by attorney Irene McLaughlin who will expand her career of public service as my new Executive Assistant

Time and circumstance today do not permit me to speak at length about many important

issues that are on my mind and certainly on the minds of most Pittsburghers. Suffice it to say that I will continue to focus my efforts on the more important issues confronting our City and the neighborhoods I have been elected to serve. They include working to ensure greater and more effective police protection, improving the quality of affordable housing, focusing governmental resources to support numerous community and economic development initiatives, cleaning up our streets and our neighborhoods and our vacant lots, and working to increase the effectiveness, the openness and the accountability of City government and its services and programs.

I will be working to ensure that City Council continues to be an open and accessible legislative body with lively debate and dialogue on the hundreds of decisions that we will make.

Council has been given, by the Home Rule Charter, sufficient powers to perform both a leadership role and a check and balance function in City government. I will be urging my colleagues to fulfill this responsibility in even greater measure this term.

We have a wonderful City in spite of the many problems we face. More importantly, although we may not always have the necessary financial resources at our disposal, we truly possess the creativity, the ability, and the perseverance needed to tackle any pressing local issue. I believe we will do this even more effectively in this new year, a year which begins a new decade, because we have a progressive Mayor and a progressive Administration. We have a City Council and we have a people who will continue their tireless efforts to make Pittsburgh an even greater place to live, to work and to raise a family.

Thank you for your friendship, your prayers, and your support. Happy New Year,

Pittsburgh.

The Chair:

Thank you, Councilman Ferlo.

It is a great honor to introduce from Council District 4, Councilwoman Michelle Madoff.

Michelle Madoff:

I promised Judge Johnson I would be- have. I'm going to try.

I guess I'm still the only chicken among all the roosters. Eight to one; I think the odds are about even. Right, Kate Ford Elliott and Cathy Baker Knoll? We know what it's like, don't we?

Mayor Masloff, Judge Johnson, mem- bers of Council, honored guests, friends. As I begin my twelfth year on City Council, I look forward to the beginning of a new era in which, hopefully, we will put squabbling and personal- ity clashes behind us. And while I may have philosophical differences with some of my col- leagues, nevertheless, I have the utmost respect for each member. Each of us has a great deal of leadership experience and brings diverse opin- ions and exciting ideas to this new City Council and government.

It takes many years to learn how to be an effective elected official. It takes years to learn, to absorb, to understand the machinations of City government. The issues in government are much broader and more numerous than you could ever imagine. It takes a long time to find out what's wrong and what's right, to research the problems and be able to separate the fact from fiction, wheat from shaft, real from unreal.

The ability is not acquired by osmosis. It is only gained by on the job experience. For ex-

ample, legislation to light the garages, provide security guards and escorts, charging non-City residents and insurance providers for paramedic services which now generates more than \$2 mil- lion a year to the City coffers, focusing attention on antiquated operation of the customer billing operation of the Water Department, the need to remove the "not to exceed" dollar figure from contracts so that we stop giving away the store, legislation which allows for the purchase of used equipment and materials in mint condition which have saved the City many thousands of dollars, legislation which provides for the mar- keting of City property so that everyone has equal access. These projects were a result of my learning what was needed and how to make them happen, and by gaining the support of City Councilmembers and that of the Administra- tion. Understanding how departments relate to each other, the Administration and Council only comes with years of being part of the process.

With the decrease in population from a high of some 700,000 to 385,000, our work is cut out for us. We have moved in the right direc- tion, lowering the wage tax. We must now move to lower the other regressive taxes, business privilege, mercantile and amusement tax, if we are to stop the hemorrhaging of City residents to the suburbs. The City cannot do it alone. We must work with the School Board, perhaps in some joint purchasing efforts, to save us both money. That's the only way we're really going to truly lower Pittsburgh taxes.

We must assist the Administration in their continuing efforts to lobby Harrisburg for meaningful tax reform, tax reform that will not unfairly tax our senior citizens but will provide them with abatements. And if they don't get it, in April we're all going to Harrisburg, senior cit- izens, myself and any other member of Council. We're going to sit on the steps until something happens.

In light of the shenanigans that have tainted this City Council in recent history, we cannot wait six months, as some of my colleagues have pointed out, or a year, to get an ethics bill. In the first working session of Council, I will distribute copies of the State and County ethics bills, as well as other ethics drafts, to all Councilmembers, and request that a post agenda be scheduled. I feel confident that in short order we can offer our collective input to the Mayor's Ethics Commission so that hopefully we can expedite the timeframe of an ethics bill which is long overdue.

Well, no one gets anything done alone. I didn't get elected alone and I didn't get meaningful legislation through Council alone. It still takes at least five votes and I wouldn't be here today if it wasn't for the faith people had in me, in District 2 particularly. I will work very hard not to disappoint them and all the people in the City.

I would be remiss if I didn't take this opportunity to thank my excellent staff. Sarah Meeks, who is out with the same flu that I have, but she's listening, I'm sure. Linda Sarno, who has been with me seven years, and she's underpaid. Bill Urbanic, Ann Yahr, who gets offered other jobs but says, "But I like working for you."

As I said, no one gets things done alone. Our office will continue to be available to serve not only the public but to work with Councilmembers, particularly the new members, and to share information with them. Happy New Year, everybody, and I thank you.

The Chair:

Thank you, Councilwoman Madoff.

It is now a great honor to introduce from Council District 6, Councilman Jake Milliones.

Mr. Milliones:

Good morning and Happy New Year. Mayor Masloff, honored platform guests, members of the judiciary, it indeed is a pleasure to be here this morning to be sworn in. I certainly want to thank the many people who supported me, especially those who supported me through the thick and the thin. I am, indeed, grateful.

I am most grateful, however, to my family. Sometimes it's more difficult on ones family than it is on the candidate when you're running in a political campaign, and in that regard, I'd like my wife and my children and the rest of my family to stand please. I am, indeed, grateful.

I see my election to City Council as a mandate for us to begin to work more cooperatively together to make Pittsburgh a stronger City. The Sixth Council District, probably more than any other district in the City, represents the diversity of Pittsburgh. It is the most diverse district; Black, White, rich and poor. I intend to work cooperatively with members of Council to make sure that the issues that affect Council in District 6, which, by the way, affect the entire City, to work cooperatively with Council and to move forward.

I wear around my shoulders an African cloth called a Kinte cloth. It represents strength and it represents unity. I pledge to you, the citizens of Pittsburgh, that I will work cooperatively with Council so that we can make Pittsburgh a stronger city.

Thank you very much.

The Chair:

Thank you, Councilman Milliones.

It is now a great honor to introduce from Council District 1, Bernard "Baldy" Regan.

Mr. Regan:

Thank you very much, Mr. President. I think I pretty much gave my speech yesterday on the North Side. Thank God for the North Side; it's a great part of the City of Pittsburgh. And for you people who have never been on the North Side, we're celebrating our 150th anniversary this year, so I'd like to have all you folks over there.

The Honorable Mayor, who is on her way downstairs for her swearing in, Father -- I asked him if he was one of us. I meant a Pittsburgher; he probably thought I meant a Roman Catholic. Honorable Judges, it's certainly an honor to have so many Judges here today. In fact, I've never seen this many Judges together after an election in 20 years.

I'd like to take my hat off to two great women, two great Pennsylvanians; Catherine Baker Knoll and Kate Ford Elliott. Here's a lady that ran in two campaigns to win one election. I'd like to honor you two someday as outstanding women in our great commonwealth.

I'd like to thank the media. The power that they have, they help a lot of people. You know, the media can give you good publicity for 20 years but they take one shot at you and they say, "Those dirty, no good ... " But I'd like to personally thank the media for the money that they raise for poor people. For example, on the North Side we had six people die in one fire. We raised \$21,000 to pay for the funerals of these poor people that had no insurance thanks to the media. When the Carolinas were devastated by Hurricane Hugo, it probably was the best display of a City 700 miles away to send 27 or 37 trucks and workers from the city to another community, 700 miles away. Thanks to the media, we raised hundreds of thousands of dollars in equipment for those poor people down South.

I don't want to take up too much of your time because, as I said, I made my speech yesterday.

Also, an outstanding woman is our famous Michelle Madoff. She truly is an outstanding lady and I want to commend her. I've never in my life fought with a woman that looked that good, and I hope we don't.

But I would like to say, in this great country of ours, as I look up at those American Flags above me, that never in my wildest dreams did I ever think that I'd be standing here today in front of people dressed that nice in Downtown Pittsburgh.

Thank you.

Mr. Wagner:

Thank you, Councilman Regan. Only in America.

It is now a great honor to introduce from Council District 3, Councilman Gene Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. Mayor Masloff, members of Council, ladies and gentlemen. First, I would like to take this opportunity to thank State Treasurer Catherine Baker Knoll for administering the Oath of Office to me today. Catherine is a dear friend of the family and she has blessed us with her friendship over the year.

I would also like to thank three special people; Lou Curry, Jill Preklas and Joan Brilovich for the strength they had during our campaign.

Special thanks to my family members, my sister Connie, my brother Virgil, brother-in-

law Bruno Delano and sister-in-law Susan Ricciardi, for the special support and love and belief in my that they've shown through the years. Thank you very much.

A special friend of mine, my dearest friend, for everything she's given to me over six years, Lynn Karpa. Thank you, Lynn, very much.

It is an honor and privilege to stand before you today as a newly elected City Councilman, but more important, it's a time for hard work. I am looking forward to working with my colleagues. They're a solid group of individuals with good credentials. We have a good Mayor, Sophie Masloff, we have a new President, Jack Wagner, and the leadership will come from this Council. We're going to be working with each other to make the City of Pittsburgh an exciting place to live, an exciting place to work, a safe place, strong neighborhoods, direction for the '90s. And this Council will get that.

My focus is to make the neighborhoods strong, strengthen them. I will especially be looking that each neighborhood, each community in District 3. The South Side, the Slopes, the Hilltop communities, and South Oakland have a special place in Pittsburgh's future.. I would like to thank all my friends, especially looking in the audience, not for this victory, but for your friendship.

Thank you very, very much.

Mr. Wagner:

Thank you, Councilman Ricciardi.

The final district is Council District 4. First and foremost, I would like to thank the voters of Council District 4 which encompasses the neighborhoods of Beechview, Bon Aire, Brookline, Carrick, Overbrook and Mount Washing-

ton, for their overwhelming support in the past year. Without those neighborhoods, the neighborhoods commonly referred to as the South Hills, I would not be standing here in front of you today.

Today, January 2, 1990, represents a new decade. A new Council with five new Councilmembers, the first time we have ever had five new members in the history of the City of Pittsburgh. A new system of electing Council. A new Mayor, the first female Mayor in the history of the City of Pittsburgh. Today represents change. Today represents positive change. For the neighborhoods and the districts we represent, and for the entire City of Pittsburgh as one great City. Not nine separate districts or nine separate cities, but one great City.

This is a new decade. It is a time for City Council, as has been said, to stop pointing fingers and start working on substantive issues that will benefit the people of our districts and the entire City of Pittsburgh. Most of the issues that face City Council transcend district lines, such as the wage tax. In two short years working with the Mayor, we have been able to reduce the City's portion of the wage tax from two and one-eighth percent to one percent. Not commonly known, but yes, the City only today has a one percent wage tax. A significant accomplishment that will help to attract young people and families back to Pittsburgh. To me, and to all of you, that is progress for all Council districts and the entire City.

Other issues transcend district lines such as, economic development. I have been a proponent of economic development. Many of you may associate me with the Strip District Project, Down by the Riverside. I have been a proponent of many economic development projects, the far majority of which are outside my present district, including many riverfront development issues. We need to better utilize our God-given

resources - the Allegheny, the Monongahela and the Ohio, the rivers - to enhance the economic development of our City and our region. Neighborhoods need to be extended to our riverbanks, something that has not happened in the past. Not only do neighborhoods need to be extended to our riverbanks, but public space improvements along with residential and commercial development need to occur along our 35 miles of riverfront. The jewel of our City is our rivers and we must utilize them properly in this decade, the '90s.

Another issue that transcends districts is intergovernmental communications. The problems of Pittsburgh are the same problems as many municipalities in the region. We're all experiencing many of the similar problems. We are strangled, and it has been indicated by several Councilmembers today, we are strangled by outdated state laws which must be changed in Harrisburg to improve our City and our region. A more cooperative spirit exists today than ever before between City Council and the Administration to initiate an all out lobbying effort with our state officials to address these concerns beginning today. Yes, beginning today, the second day of a new decade, and working together, this can happen.

In conclusion, this Council, we, are the people by which the new system of government, district elections, will be judged. We must, and we will, show greater attention towards specific neighborhood district issues including something not commonly referred to but the most common request by our residents - City services. Basic City services. This new Council by district will address that issue better than any Council in the history of the City of Pittsburgh. We must, and we will, show greater attention towards specific neighborhood issues. However, the major challenge facing the new by district election system is keeping in perspective and appropriately addressing the overall needs of this

City. Let us not be so parochial to forget about the City of Pittsburgh as a whole in this new by district system. We have a great City and we are poised for greatness in the '90s, and this Council will be part of that process.

It is now a pleasure for me to introduce, as many Councilmembers have, some members of their family. First, I would like to introduce my mother, LaVerne Wagner. And even though it's tough for me to say, I know our dad is looking down on us and saying a prayer today with a smile.

I'd next like to introduce my wonderful wife, Nancy, and the guy that has been making all the noise in the Council Chamber, our son Luke. Both Nancy and I have been truly blessed with Luke.

Next I'd like to introduce my brothers and their families. My brother, Bob, and his wife, Eileen, and children.

And finally, I'd like to introduce my other brother, a brother I'm very proud of, my brother, Pete, and his wife, Judy, and their children.

And now we get to the point I think which many people have been waiting for, particularly the media, which is to announce the appointments of Chairpersons to the Standing Committees of Council which are as follows:

Committee on Finance
- Councilman Jake Milliones

Committee on Public Works
- Councilman Duane A. Darkins

Committee on Planning, Housing and Development
- Councilman Jim Ferlo

Committee on General Services

- Councilman Michael Coyne

Committee on Water

- Councilwoman Michelle Madoff

Committee on Parks and Recreation

- Councilman Gene Ricciardi

Committee on Public Safety

- Councilman Bernard "Baldy" Regan

Committee on Engineering and Construction

- Councilman Dan Cohen

Committee on Hearings

- President of Council

The Chair would like to announce the creation of several sub-committees today and the appointment of Councilmembers to Chair those committees.

I would like to reinstate today a committee that we have had in existence in 1989 that is a very pertinent, timely issue for the '90s, which is trash recycling, something that will be part of this City. I am now creating that Committee on Trash Recycling and the Chairperson of that committee will be the same Chairperson, Mr. Jim Ferlo.

A committee that many Councilmembers referred to in their speech. A Committee on Ethics and Rules in government. To review the recommendations on the Mayor's Panel of Ethics and make suggestions to Council for appropriate legislation that will be enacted in the early part of 1990. In addition, that committee will also review the Rules of Council and make appropriate changes that will be part of new legislation to enhance the Rules of Council. It will have two functions: ethics and internal rules. The Chairperson of that Committee, Mr. Gene Ricciardi.

A committee that I feel and several Councilmembers feel is very important, a Committee on the Black Infant Mortality problem in the City of Pittsburgh. Over the past decade, Pittsburgh has had the worst, and I repeat, the worst Black infant mortality problem of any major city in America. It's time we actively address the problem in City government by creating a special committee. I can think of no one better to chair that committee than Councilman Jake Milliones.

And the final sub-committee is a committee that I have talked about for years in this government. For the six years I've been here, I've talked about it. A committee on the marketing and promotion of Pittsburgh. We all know we have the greatest City in America. The problem is, the people outside this region don't know it. The time has come for us to actively coordinate the various marketing activities from this government to promote this City and this region. I am officially creating the Marketing and Promotion Committee in this government and the President of Council will chair that committee.

I also must state, in the creation of those four committees, all Councilmembers can be, and will be, active participants in those committees

Also, I'd like to make the appointment of Councilmembers to the Board of Trustees of the Carnegie Library which includes the Buhl Science Center. They are as follows: Councilman Bernard "Baldy" Regan, Councilman Duane A. Darkins, Councilman Jake Milliones, and also, under the Rules of Council, the President of Council is part of that committee.

I would now like to entertain a motion of which I have not discussed with every Councilmember but several of you individually, to nominate a President Pro Tempore that will per-

form the functions of the President if the President is not here. And I must tell you, in the last six years there has been very few days when I have not been here. But still, it is a critical position. It is something that this Council has had two President Pro tems within the last two years that have served a critical portion of this Council.

I would like to entertain a motion to appoint Councilman Ferlo as the Council President Pro Tempore.

Michelle Madoff:

So moved.

Mr. Darkins seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Thank you.

The Chair:

There is one formal procedure that is necessary for all of us which is to adopt the existing Rules of Council so that we do have rules to operate under. I would like to entertain a motion to do that.

Mr. Milliones:

So moved.

Mr. Ferlo seconded the motion.

Mr. Regan:

I make a motion that Jake Milliones makes a motion to approve it.

Mr. Milliones:

Thank you, Councilman Regan.

The Chair:

The motion has been made and seconded, I'm not sure by whom, but it has been made. All those in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

The Chair is honored this morning to have with us Reverend Donald Clay of Mount Ararat Baptist Church who will be offering the Benediction.

Reverend Clay:

Eternal God, we come now asking that you might sanctify and anoint all that has been done in this place.

We pray, oh God, that you might instill within each of these individuals Godly wisdom ~~that~~, as they lead the way for this City, we might go forward in the assurance that your presence is with us as well as your power.

Now, Father God, as we leave from this place, we pray that your peace, your love, and your mercy might abide with us all.

In our Lord's name we pray. Amen.

The Chair:

Prior to a motion for adjournment, I would like to wish everyone a Happy New Year.

And on the motion of Michelle Madoff

Council adjourned.

the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million (1990–1999) (1999a).

There is a growing emphasis on the need to improve the efficiency of public services, and to ensure that the public sector is able to deliver the services that are required in a cost-effective manner. This has led to a number of initiatives, including the introduction of competition, the restructuring of public services, and the introduction of performance targets. The aim of these initiatives is to ensure that the public sector is able to deliver the services that are required in a cost-effective manner, and to ensure that the public sector is able to deliver the services that are required in a cost-effective manner.

The aim of this paper is to examine the impact of these initiatives on the public sector. The paper will first examine the impact of competition on the public sector. It will then examine the impact of restructuring on the public sector. Finally, it will examine the impact of performance targets on the public sector.

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MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, January 9, 1990

No. 2

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 9, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ricciardi:

Could I please ask Roberta Smith to step

forward? Roberta Smith is a dear friend of mine and the owner and editor of The South Pittsburgh Reporter. I respectfully request my colleagues on City Council to adopt this resolution.

Mr. Ricciardi presents

No. 35 WHEREAS, The South Pittsburgh Reporter has entered its fiftieth year of community service to the South Pittsburgh area; and

WHEREAS, The Reporter serves as a vehicle for the promotion of community events and organizations, for the dissemination of valuable information, and for the analysis of community issues; and

WHEREAS, Roberta Smith has been the editor and owner of The Reporter since 1978 and has been assisted by her son, Thomas Smith; and

WHEREAS, both Roberta and Thomas Smith bring years of experience, expertise and education to the management of The South Pittsburgh Reporter; and

WHEREAS, Roberta Smith has served as President of The Brashear Association, President of the South Side Chamber of Commerce, neighborhood worker at The Brashear Association, Executive Director of the South Side Chamber of Commerce, and currently serves as President of the South Pittsburgh Economic Revitalization Team, a member of the Mount Oliver Area Chamber of Commerce Revitalization Committee, a member of the Board of Directors of the South Side Chamber of Commerce

and the South Side Hospital, and coordinator of the South Side Summer Street Spectacular Parade; and

WHEREAS, the services provided by The South Pittsburgh Reporter and Thomas and Roberta Smith are so necessary to the well-being of communities and community-based organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in celebration of the fiftieth anniversary of the publication of The South Pittsburgh Reporter; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend Roberta Smith and Thomas Smith for their extraordinary service to the people, communities, and organizations served by The South Pittsburgh Reporter.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Roberta, would you like to say a few words, please?

Ms. Smith:

Thank you, Gene, Mr. Wagner and members of Council. I just want to say that I'm very pleased and proud to stand before you today. Our paper covers about one-third of the City and Tom and I are the only staff. We depend heavily on things to come to us. We'd be happy to support you in any way we can. Thank you.

Michelle Madoff:

District 2 abuts your district. Maybe you cover part of us, but why don't you expand? We don't have a local newspaper and we have great problems reaching many of the people in the community who need services, community groups. There are about seven groups who don't know each other exist. I think it would be a good money maker for you and would be a tremendous public service to our district.

Ms. Smith:

I've talked to the Mount Washington people and I'll talk to you about it.

Michelle Madoff:

Not only in Mount Washington but in several other districts.

The Chair:

Thank you, Roberta.

Mr. Darkins presented

No. 10 Resolution vacating Holtz Way from Crawford to Reed Streets, and also reserving the 12-Inch sewer line in the 3rd Ward of the City of Pittsburgh. The petitioners, Klett, Lieber, Rooney and Schoring, Attorneys at Law, have requested this vacation for expansion purposes. The Department of Finance recommended a fee of \$4,135.00 be charged for the vacation of the same.

Also,

No. 11 Resolution vacating Tay Way from College Avenue northeastwardly 193-Feet to a point by 12-Feet and also reserving a 15-Inch sewer line in the 7th Ward of the City of Pittsburgh. The petitioners, Charles L.

Desmone and Associates, have requested this vacation for rerouting Tay Way through a proposed parking area.

Also,

No. 12 Resolution vacating Randall Street between Bristol Street and Grit Way in the 15th Ward of the City of Pittsburgh. The petitioners, Frank and Joni DiNardo have requested this vacation for sideyard convenience.

Also,

No. 13 Resolution vacating Fierro Way from Fusion Street southwestwardly 50-Feet in the 20th Ward of the City of Pittsburgh. The petitioners, B. M. and Harriet E. Reitmeyer have requested this vacation for consolidating their property.

Also,

No. 14 Resolution vacating Goebel Street from Fulton Street to its easterly terminus in the 21st Ward of the City of Pittsburgh. The petitioner, Reinhold Ice Cream Company has requested this vacation for expansion purposes.

Also,

No. 15 Resolution granting Raymond C. Sprow of 309 Harmer Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a stoop and steps on a portion of the sidewalk of 309 Harmer Street in the 6th Ward of the City of Pittsburgh. This request is made by Raymond C. Sprow in order to clear the Title for this encroachment.

Also,

No. 16 Resolution granting Adolph Frediani of 1646 Rockford Avenue, his successors

and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a handicapped parking space on a portion of the right-of-way of Rockford Avenue in the 19th Ward of the City of Pittsburgh. This request is made by Adolph Frediani because of the room on his property he must use the corner of his property to park his handicapped van.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 17 Resolution providing for an Agreement or Agreements with NeighborFair Pittsburgh, Inc., for the operation of the Neighborhoods for Living Center at a cost not to exceed \$150,000.00, chargeable to and payable from the Department of City Planning, Miscellaneous Services, Code Account No. 1103.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 18 Resolution approving a Conditional Use Exception under Section 993.01(a)A-(4) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Leeann Associates of Pennsylvania and Mark Utley, Owners, for authorization to use the property located at 400 Roup Avenue as a parking area to serve employees and customers of Baum Boulevard Dodge,

Inc. (51-H-118), 8th Ward.

Also,

No. 19 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 987 "Signs" by further restricting the size and location of roof type business and identification signs in "C3", "C4" and "A1" commercial type zoning districts.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 20 Resolution providing for the issuance of a \$1,313.80 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage to a vehicle leased by the City Water Department during February, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 21 Resolution providing for the issuance of a \$1,025.86 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage as the result of a van being vandalized, payable from Code Account No. 46, Judgments.

Also,

No. 22 Resolution providing for the issuance of a \$4,225.00 warrant in favor of Theresa and Stanley Szymczak in settlement of claim for property damage on or about May 21, 1989 due to a water main break on Sarah Street, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 23 Resolution providing for the is-

suance of a \$3,162.00 warrant in favor of The Gardens at Negley in settlement of claim for sidewalk damage by City tree roots at 1001 North Negley Street, payable from Code Account No. 46, Judgments.

Also,

No. 24 Resolution providing for the issuance of a \$1,065.00 warrant in favor of Chester Kielb in settlement of a claim for sidewalk damage by City tree roots at 1924 Chislett Street, payable from Code Account No. 46, Judgments.

Also,

No. 25 Resolution providing for the issuance of a warrant in the amount of \$15,000.00 payable to Wilbert J. Davis and Minnie L. Davis, his wife, c/o Robert A. Lebovitz, Esquire, 2018 Monongahela Avenue, Pittsburgh, PA 15218, in full settlement of a claim, arising from personal injuries sustained in a City of Pittsburgh police wagon on October 15, 1984, payable from Code Account No. 46, Judgments.

Also,

No. 26 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 27 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 28 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 29 Resolution amending Resolution No. 897, Item E, effective November 21, 1989, which authorized the sale of property in the 12th Ward, being 1/4 story, brick, double house located at 1331 Grotto Street, designated as Block 173 J, Lot 225, to Leroy Times for the sum of \$1,500.00. The reason for the above amendment is to correct the Treasurer Sale number which currently reads 1331 to read 2445.

Also,

No. 30 Resolution Repealing Resolution No. 752, Item B, approved September 26, 1989, which repealed Resolution No. 382, Item G, approved May 5, 1989, and authorized the sale of property in the 12th Ward, being a 2 Story, Alum. Hse. on a 25' x avg. 110.26' lot, located at 537 Turrett Street, designated as Block 124 P, Lot 296, to Jerald A. Smith and Beddalyn J. Odom Smith, for the sum of \$5,000.00. The reason for the repealing of Item B of Res. No. 752, approved Sept. 26, 1989, is that the Title Report was received after the forfeiture proceedings were initiated.

Also,

No. 31 Resolution Repealing Resolution No. 752, Item H, approved September 26, 1989 which repealed Res. No. 786, Item I, approved October 14, 1988, and authorized the sale of property in the 31st Ward, being a lot 50' x avg. 193.45', located at 829 Oakville Street, designated as Block 134 H, Lot 258, to Anthony Yurechko and Carol A. Yurechko, for the sum of \$750.00. The reason for the repealing of Item H

of Res. No. 752, approved Sept. 26, 1989, is that the Title Report was received after the forfeiture proceedings were initiated.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 32 Communication from Thomas Flaherty, City Controller, submitting the statement of revenues collected and expenditures paid from cash transactions of the Finance Department, Dog License Section for the years ending May 31, 1989 and 1988.

Also,

No. 33 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss community problems that have developed with the construction of the Boundary Street Parking Lot built by Mr. Sol Gross. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 34 Communication from Sophie Masloff, Mayor, City of Pittsburgh, informing Council of the appointment of Dominick Cimino, 1200 Pocono Street, Pittsburgh, PA 15218, as Chief, Department of Public Safety, Bureau of Building Inspection.

Which were read, received and filed.

Michelle Madoff:

Discussion. I wasn't informed of the new appointment to building codes and I believe we have no say in that matter. Council doesn't approve aye or nay, it's a matter of just informing us. Is that correct?

The Chair:

That's correct.

Michelle Madoff:

I would like to go on public record as saying that I have some great concerns that Council was not consulted. Many of us, certainly myself, have had some problems over the years with that department, Mr Imhoff's operation. And Mr. Cimino was, I believe, his first had administrator and I would like to know how he feels about some of the concerns that we've had.

As you know, there's an on-going investigation on demolition. I don't know whether Mr. Cimino is involved in any way, shape or form, nor am I implying that. But it would be nice to know what the procedure is. At one point when we had a problem a number of years ago, at recommendations from myself and others, the process was changed. It has since been changed again because that process left itself open for hanky-panky.

I'm a little disturbed that that appointment was made without the input of this Council and I would like to, at some point, have the opportunity to invite Mr. Cimino before this Council, regardless of whether we have the right to exchange ideas on how he plans to run this operation. I would appreciate your extending an invitation to him.

The Chair:

That could be done by any Councilmember at a post agenda meeting at any time in the future. As everyone is aware, with the creation of the Public Safety Department, we no longer approve the appointments of the five bureaus within that department, only the Director of the Department of Public Safety.

Michelle Madoff:

I would just think that it would be imperative that we, at some point, have some interaction and discussion with this department head simply because it has been a bone of contention in the 11 years that I have been here. It is not an outsider; it is not somebody new. It could be business as usual and I would have some concerns.

UNFINISHED BUSINESS**Michelle Madoff:**

Mr. President and members of Council, in the last week I distributed to all members the State and County Code of Ethics along with the floor motion amendment that I made here which you may find that there were some basics that were not even included in the County Code. I suggested that we have a working post agenda or a working meeting. I'm sure everyone will have had time to review that material; it's not very complicated.

I also included Mark Pollock's latest bill so that people might want to see what had been submitted and what may or may not meet with their approval.

I don't think it's appropriate for us to wait six months to a year and then have some kind of public hearing which would be appropriate and then go back and have the Board that's meeting redo that Ethics Commission legislation. I think it's going to be, at minimum, a year and a half, probably closer to two years unless this Council expedites the procedure. I think it would be advantageous for us to put in our own recommendations as a body. Of course, everybody can put it in privately and at some point I'm sure that the Mayor's Commission on Ethics will hold some

public hearings, but I don't think we can afford to start off this new Council waiting a year or two to have an ethics bill.

I would very much suggest that the President of Council schedule the post agenda that I requested at our swearing-in ceremony. I did what I said I would do and distributed the information, and perhaps we should get together and have a round table discussion either as a post agenda or as a meeting in our board room open to anybody who would like to come, the media, what have you. But I believe it's time we move expeditiously on it to review whatever information.

I, for one, share some concerns with you. I don't want to make the ethics bill so restrictive that when we have someone come to us during budget time, for example the young man from the Bloomfield-Garfield Jubilee whom I never met before but I thought he was an outstanding person, I would like the opportunity to say to the Administration, "Have you considered this person to work in the City in some capacity?" Or, if somebody comes to our attention that we think would be beneficial to the City, I want to make sure that we don't close those kinds of avenues to us.

Also, I think we need to clarify what is ceremonial and what is it that we're getting of greater value than the general public which is outlawed in our Rules of Conduct. There are some things that need to be clarified very quickly but, in general, we should expedite this whole process by getting together and coming up through Mr. Ricciardi's chairing of this Committee and get on with the job.

Again, I just want to summarize by saying, let's not wait. Let's not delay it. If we wait and don't move quickly, I guarantee you it will not be in a year. We won't have it.

The Chair:

Councilwoman Madoff and members of Council, under the title of Unfinished Business, we really do not have any business in front of Council yet in that regard. I know it's the intent of Mr. Ricciardi to give a report on his sub-committee action in a few minutes and I would prefer to talk about that issue in a couple of minutes.

Michelle Madoff:

Sir, I thought we were on to Motions and Resolutions and I was suggesting that I've spoken to Mr. Ricciardi, I've sent everybody the information, and now I'm suggesting that any member of Council can call for a post agenda and that's exactly what I'm doing. Let's have a meeting as fast as we possibly can and let's start reviewing to the material and adding to the material.

I make that in the form of a motion and I believe I don't really need to do that. I think as a member of Council I'm entitled to call for a post agenda. Isn't that the rules?

The Chair:

Under Unfinished Business I cannot accept that motion now. But a motion of that type can be made when Mr. Ricciardi talks about that issue which is coming up soon.

Michelle Madoff:

We're going to talk about Unfinished Business first of all? Is that what you're saying?

The Chair:

No, no. There is no Unfinished Business, legally, in front of Council right now. There's no bill, no ethics bill, but Mr. Ricciardi is working diligently to put together all informa-

tion available and I know he has sat down with several members of Council and will be requesting to sit with other members of Council in the near future and is going to talk about that in a couple of minutes. So, let's move on and that issue will be up for some discussion.

Under Reports of Committees, there are no Reports from Committees because there is no final action on any bills today.

REPORT OF SPECIAL COMMITTEES

Mr. Ricciardi:

I'd like to give a brief update of the Subcommittee on Ethics and Rules.

Over the past week, I met with each colleague, sat down with each colleague of mine on City Council, and I spoke to Michelle on the phone. First, I would like to thank my colleagues on City Council. Everyone has been very helpful, everyone has had input into it, and each member has shown a concern for this topic.

This week I have a follow-up meeting with several Council colleagues of mine. I'll be extending an invitation to serve on the Committee and I will be making that recommendation to you, Mr. President, to put these people on the Committee.

I realize Michelle's concern. I don't look at it as though this is putting it off at all. Whatever we put together has to be a solid bill that will last through the '90s.

That's the brief update, Mr. President.

The Chair:

Okay. I'd like to simply update all of Council also. I sent a copy of a letter which was

sent to the Executive Director of the State Ethics Commission, Mr. Contino, requesting that a public session be held for all City Councilmembers, public officials and public employees required to file a statement of financial interest to attend a seminar provided by the Pennsylvania State Ethics Commission. We are required to do that within the first 90 days of this legislation session. Hopefully we can do that within the first 30 days. So, we are anxiously awaiting a response to set up a meeting of that type here in the City of Pittsburgh that will include all of Council and, hopefully, the appropriate people from the Administration.

Michelle Madoff:

Mr. President, the establishing of Committees does not exempt any member of Council or preclude any member of Council from calling for a post agenda. The material was distributed as a hold-over from last year. Those of us who are here from last year have very strong feelings and we don't want to be painted with the same brush that this Council was and the cloud that this Council has been under.

I am asking that the material that I distributed be reviewed, that Mr. Ricciardi chair that meeting, that we have a post agenda, and that we discuss immediately some recommendations that we can get, even an interim ethics code put forward to the Administration for the Mayor's Ethics Commission, so that we can get something in place that can be amended as we go along. Otherwise, it will be a two-year time frame before we have an ethics code before this Council.

Mr. Ricciardi:

If I may, Michelle. Before we have a post agenda hearing, I would like to appoint the members to the Committee, and that will be this week.

Michelle Madoff:

Certainly. But would we schedule one at the earliest convenience, please?

Mr. Ricciardi:

I will, but first I would like to make those recommendations for the appointment of a few Councilmembers to the Committee before we discuss a post agenda hearing. And that will be this week.

The Chair:

Thank you, Mr. Ricciardi. And I believe it's the intent of every member of Council for us to move on this issue within the first half of 1990 and to get the issue behind us.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 36 Resolution appointing Robert Wilburn, 310 South Homewood Avenue, Pittsburgh, Pennsylvania 15208, as a Member of the Pittsburgh Water and Sewer Authority for a term of five (5) years beginning January 1, 1990.

Which was read.

Also,

No. 37 Resolution appointing Mary K. Conturo, 6615 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, as City Solicitor, Law Department. Said appointment shall be effective February 1, 1990.

Which was read.

The Chair:

The Chair will entertain a motion to have the appointees here for consideration tomorrow, Wednesday, January 10, 1990, at 10:00 a.m.

Mr. Coyne:

So moved.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Mr. Wagner, on the appointment of the Solicitor as proposed. We received a very brief resume regarding this individual, Ms. Conturo. From reading the resume, one would wonder how she was appointed to this position. I'm wondering if there's any other additional subsequent information that the Administration can respond. If not, I would like, in addition to the appointee at the table, a representative of the Mayor's Office because I have some very grave reservations about this appointment given this individual's limited experience for what is certainly even more so becoming a critical position in City government.

I'm asking for some additional information and also for a representative from the Mayor's Office to be present to answer questions. This is also Council's Solicitor, please be reminded of that.

The Chair:

Mr. Perry, would you please pass that information on to the Administration and ask for someone to be here from the Mayor's Office tomorrow along with any additional information as requested by Mr. Ferlo.

All those in favor of bringing them in front of Council tomorrow? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferio:

Very briefly, Mr. Chairman. I wish we could take a break but we have to hit the ground running. As we turn the new clock around for a new year, there was some unfinished business and very important discussion during the budget proceedings of Council on the possible phasing out and elimination of the WHIP program, the Weatherizing Homes In Pittsburgh Program administered by the Urban Redevelopment Authority.

As a follow-up to try to better understand what the intentions of the Administration are this year regarding that program and recognizing that there will be considerable loss in state funding, I want to, again, hold a post agenda next Wednesday which I think Councilmembers have received a notice of to bring back to the Table, the URA officials, the Mayor's Office, Equitable Gas, People's who were at the last post agenda and other interested parties from the community.

This is a very important program. As I lobbied during the budget proceedings, I felt that if it got down to priorities, that this is a priority, the weatherization of homes, especially for low and moderate income individuals and families as well as tenants, that before we phase out this important service we should better look at possibly revamping the program, creating a different model. There are any number of possibilities that are out there, including the bottom line which is possibly re-allocating CDBG dollars or operating dollars to support the program as opposed to continuing some other priorities that we've enumerated.

It's important discussion and I'm sure many of us on Council, especially new members, have appreciation for how important this

program is. I think it's even far more important than some of the other programs that we fund. So that is the intent of the post agenda discussion.

In addition to that, a separate post agenda which I'm calling and that is that members of Council have received a communication from the Pittsburgh Community Re-investment Group, the PCRG, regarding their opposition to a proposed merger with PNB, Pittsburgh National, and First Federal Savings and Loan Association. The issue that is before the public and I think should be before this City Council —

I believe that City Council which acted quickly to support the Mayor's proposed changes on how we do business with our own banks on our depository accounts, I think City Council needs to become more of an advocate on this issue of how we relate to our local financial and banking institutions, specifically because so many of us represent low and moderate income communities here in the City of Pittsburgh. If the information is accurate, that PCRG has illustrated to Council in the document that I think all of us received, it is very alarming and I think should cause us great concern, and that is the very dismal track record as it relates to providing home mortgages and low and moderate income communities and individuals as well as the employment practices of First Federal.

What is more alarming is that over the last couple of years, because of the advocacy of PCRG, as well as the City now taking on an advocacy role, both Union National Bank, as well as Pittsburgh National, have really moved to take progressive steps to improve their track record both in home mortgage loan assistance, loans to entrepreneurs, minority and female entrepreneurs, loans to riskier business development efforts, you name it. It would be a tremendous step backwards if what this proposed merger, as has been proposed by PNB, we

now have the situation where First Federal will head up their home mortgage division of Pittsburgh National. And if First Federal takes with them their bias and their prejudice, assuming the information is accurate, then we are moving backwards instead of forwards in this City.

I've asked for a post agenda to be held on Wednesday, January 24, 1990, to allow representatives of First Federal, PNB and other interested parties, as well as representatives of PCRG to appear. I'd like to separate what is fact and fiction here and really talk about the issue before us and that is the possibility that Council, as a legislative body, and if this information is accurate I will be submitting a resolution to Council joining with PCRG in filing a formal complaint with the Federal Home Loan Bank Board in Cleveland and oppose the proposed merger, unless we can get something out of it.

Now is the time for the City to ascertain what the facts are. If it is accurate, then this is a bad situation for our City. I think City Council itself needs to act as an advocate for our people and I will be proposing to do that. So, I encourage Councilmembers to think about the issue, review the packet, and attend the Wednesday, January 24, 1990 meeting.

The Chair:

So there are two post agendas scheduled; one for the 17th and one for the 24th.

Mr. Ferlo:

Yes, sir.

Michelle Madoff:

On the same subject. I would like to invite, or have invited, whoever handles the dollar energy fund to the first post agenda. It seems to me, as a long proponent of conservation and the

issue of weatherizing, the dollars would be better spent weatherizing homes than spent on subsidizing bills for homes that are leaking and running up bills sometimes in small houses that are larger than mansions. And I would like to see what we could do about acquiring some of those dollars. I started an investigation of that and was working on it but there's no point in my working at odds with you. Let's work together on it. But would you please invite the dollar energy people to the first post agenda.

On the second post agenda, I think it would behoove us to invite Mr. Ben Hayllar who made the presentation to this Council saying that we're giving a point system to the banks that interact best with the community and serve the community best in obtaining our dollars to their banking system. Perhaps he has already looked into it and will give us an update and we'll monitor them on the fact that they will want to do some of our banking and whether they would still be eligible or ineligible.

I read the articles about the red-lining as well and I think there seems to be some indication that they want to be good citizens. Let's get it on the Record.

The Chair:

Mr. Perry, please invite those two people to the post agenda.

Mr. Ferlo:

Those individuals have been invited, Mr. Chairman.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, November 21, 1989 and Tues-

day, November 28, 1989.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of Michelle Madoff

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, January 16, 1990

No. 3

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 16, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presented

No. 38 Resolution granting the Sterling

Land Company of 4609 Bayard Street, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a permanent and temporary easement to a building and shoring on a portion of the sidewalk of North Craig Street, Bayard Street and Chesney Way in the 4th Ward of the City of Pittsburgh. This request is made by the Sterling Land Company who are constructing two office buildings on this site, and the easements are required for below grade parking and the shoring and anchoring to stabilize the buildings during construction.

Also,

No. 39 Resolution vacating Phelan Way beginning at a point 233.95' from 30th Street, thence eastwardly 291.86' by 20' to a point, in the 6th Ward of the City of Pittsburgh. The Petitioners, Eastside Alliance, have requested this vacation for expansion purposes.

Also,

No. 40 Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Community System Program Committee for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1990, at a cost not to exceed \$540,000.00, chargeable to and payable from Code Account 1176, Index Code 117606, Miscellaneous Services in the Department of Environmental Services. The total of \$540,000 includes \$75,000 for administration and the balance for lot clean up services.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 41 Resolution amending Resolution No. 1061, effective January 1, 1990, entitled: "Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program", by decreasing line item HA-345, Rehabilitation and Modernization of Housing for Low and Moderate Income Families, by \$39,000.00 from (\$1,510,000.00 to \$1,471,000.00). ---**(SPONSORED BY MR. FERLO)**

Also,

No. 42 Resolution amending Resolution No. 1061, effective January 1, 1990, entitled: "Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program", by increasing line item CP-468, Hunger Services Pittsburgh Community Services by \$39,000.00 from (\$150,000.00 to \$189,000.00).
---**(SPONSORED BY MR. FERLO)**

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.
Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 43 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for payment of services and expen-

ditures for the activation and implementation of the "Map Updating and Land Records Management Program" in the Department of City Planning at a cost not to exceed \$230,000.00, chargeable to and payable from CP90-214.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milllones presented

No. 44 Resolution providing for the issuance of a warrant in the amount of \$2,500.00 payable to Joseph J. Burzynski, c/o Alvin E. Dillman, Jr. Zoffer, Dillman, Wedner, Friedman & Frayer, 1516 Frick Building, Pittsburgh, PA 15219, in full settlement of a claim arising from an alleged de facto condemnation, payable from Code Account No. 46, Judgments.

Also,

No. 45 Resolution providing for the issuance of a warrant in the sum of \$3,666.66 to John R. Filbert, c/o Diana F. Wilkins, Esq., his Attorney, Ecker & Rome, P.C., 1527 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged collision involving a City police vehicle at the intersection of Shady and Penn Avenues, in the City of Pittsburgh, on or about May 16, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 46 Resolution providing for the issuance of a \$753.42 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage incurred to a van used during the summer painting program, payable from Code Account No. 46, Judgments.

Also,

No. 47 Resolution providing for the is-

suance of a \$1,702.50 warrant in favor of NC-SC/USA Housing Development Corporation in settlement of claim for sidewalk damage by City tree roots at 2639 Perrysville Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 48 Resolution providing for an Agreement or Agreements to provide funding for the Greater Pittsburgh Commission for Women at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office. These services will allow for the implementation of a variety of activities aimed at improving the status of women.

Also,

No. 49 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh at an aggregate cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office.

Also,

No. 50 Resolution providing for an Agreement or Agreements to provide funding for the North Side Civic Development Council at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office, Index Code 101709.

Also,

No. 51 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees at a cost not to exceed \$50,000.00,

chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 52 Resolution providing for the conveyance of certain property in the 10th Ward of the City of Pittsburgh, designated as Block 121 L, Lot part 129, to Gary A. Wilkinson and Frances M. Wilkinson, his wife, for the sum of \$350.00.

Also,

No. 53 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, for certain jointly owned property in the 29th Ward, City of Pittsburgh, designated as Block 59-B, Lot 30, to the County of Allegheny in connection with Becks Run Bridge.

Also,

No. 54 Resolution Repealing Resolution No. 88, Item A, approved March 7, 1989, which authorized the sale of property in the 5th Ward, being a vacant lot, located at 2419 Centre Avenue, designated as Block 10-R, Lot 104, to George Ellison for the sum of \$500.00.

Also,

No. 55 Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 56 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a computerized mapping and geographic information system (PAGIS) for the Bureau of Fire at a cost not to exceed \$35,500.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account 1464, Equipment.

Which was read and referred to the Committee on General Services.

The Chair presented

No. 57 Resolution providing for the issuance of a warrant in favor of Corporate Computer Center in the amount of \$1,273.52 for the purchase of budget strips and pre-punched paper for City Council's Operating Budget, chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc. (Index Code 100115). ---**(SPONSORED BY MR. WAGNER)**

Also,

No. 58 Resolution providing for the issuance of a warrant in favor of General Binding Corporation in the amount of \$998.00 for the purchase of tabs for City Council's Operating Budget, chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc. (Index Code 100115). ---**(SPONSORED BY MR. WAGNER)**

Which were read and referred to the Committee on Finance.

Also,

No. 59 Communication from the Allegheny County Sanitary Authority, submitting the Authority's list of personnel as of December 31, 1989.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 36 Resolution appointing Robert Wilburn, 310 South Homewood Avenue, Pittsburgh, Pennsylvania 15208, as a Member of the Pittsburgh Water and Sewer Authority for a term of five (5) years beginning January 1, 1990.

Which was read.

Michelle Madoff moved to approve the appointment.

Mr. Ferlo seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't Pro tem)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Wilburn was approved.

The Chair presents

No. 37 Resolution appointing Mary K. Conturo, 6615 Aylesboro Avenue, Pittsburgh, Pennsylvania 15217, as City Solicitor, Law Department. Said appointment shall be effective February 1, 1990.

Which was read.

Michelle Madoff moved to approve the appointment.

Mr. Coyne seconded the motion.

Mr. Ricciardi:

Discussion. Mr. President and Members of Council, please be assured that it will not be my regular practice to make prepared statements to this body. But, the issue before us now is delicate, and the reasons for our decisions are as important as the votes we cast today.

Public discussion of a person's professional qualifications and reputation does not come naturally to me. When discussing personnel and hiring decisions, many public boards and councils retire to executive session. In preparing my thoughts for today, I tried to remember how I would appreciate a fair and objective treatment of my own qualifications.

Let me begin by stating that I have three important criteria for a City Solicitor: (1) knowledge of and experience in a broad range of municipal law; (2) legal management experience; and, (3) the mental and professional toughness to aggressively fight to maintain the highest legal, ethical and policy standards for clients.

Furthermore, I do not doubt the intelligence or professional accomplishments of the nominee. Pittsburgh is fortunate, indeed, to

house many talented attorneys. Yet, few would argue that, for a specific legal task (such as criminal defense law), not every attorney is well-suited to serve the best interests of a client. This is no sin; specialization is common in many professions.

So the question arises: is the nominee's background, experience, and the quality of her testimony before us indicative of quality representation as the City's chief legal advisor. Regretably, I don't believe so.

I say this for several reasons. First, it is important to note that confirming a nominee for the position of City Solicitor is different for a Member of Council than, say, Director of Public Works or Director of Parks and Recreation. For positions other than City Solicitor, once confirmed, these individuals become thoroughly dedicated to achieving the Mayor's policy goals; and, that is how it should be.

However, for the City Solicitor, that person serves not only as part of the Mayor's policy team, but as Council's attorney and advisor. Today, we are, in effect, selecting our lawyer. When viewed in this light, this nominee does not meet the general criteria I outlined earlier.

In formulating my decision over the long holiday weekend, I reviewed several times the video tape recording of last Wednesday's confirmation hearing. I spent a great deal of time searching for a reason to confirm this nominee; again and again, I was not persuaded to do so.

The nominee did not respond sufficiently to questioning. In fact, it took repeated prodding to get the nominee to agree to return my phone calls. I found this to be a bad sign from someone who wants to serve as my lawyer. None of the nominee's clients in the private sec-

tor would settle for that.

Further, during the confirmation hearings, the nominee spoke of transforming our Law Department into a municipal law firm which would attract the brightest young legal minds from local law schools; and, I would wholeheartedly support such a notion. Unfortunately, I cannot envision someone with no litigation experience, scant managerial skills, or prior demonstration of interest for public service as the successful leader and manager of such a department.

Despite these reservations and in light of the legislative arithmetic in this Chamber today, it would appear that the confirmation of the nominee is assured. Regardless of the outcome, I want to say something to the nominee, her family and her supporters: my intention here is to act on my best professional judgment based on the evidence available to me, and not to personally offend the nominee. A lawyer wouldn't take a judge's decision personally, and I know that those who disagree with me today won't either.

Finally, this nominee's appointment was announced before Christmas. Yet, no information regarding this nomination was sent to me until Tuesday, January 9 -- the day before the confirmation hearing. There must be a better way to select and confirm nominees to important positions. I look forward to an improvement in this area in the future.

I thank my colleagues for their indulgence.

Mr. Coyne:

Mr. President, as you know and Members of Council know that I was initially skeptical of Ms. Conturo. However, after meeting with her when she came to be interviewed at Council and talking to several attorneys who I

respect greatly throughout the City, I found that I believe she does possess the qualities that are necessary to run the City's Law Department.

The attorneys I have spoken to have said it is not essentially necessary that the person who will be the City Solicitor have a great deal of litigation experience because he or she would be running a department and administering it more than they would be appearing in court. And the people who I know that have worked with her have said that if she did have to appear in court, that she would be amply capable of doing so.

So, I have decided today that I will, even though I had initial misgivings, will support Ms. Conturo's appointment.

Mr. Cohen:

Mr. President, this was a tough decision. I agree with my colleague, Mr. Ricciardi, that it was, but I respectfully disagree with his conclusion.

When I first reviewed Ms. Conturo's resume, I, too, had reservations because she does not have litigation experience and my understanding from the City Solicitor's Office is that over half of the case load in the Law Department is litigation. But these reservations have been overcome in my mind because of several factors.

I found her answers to my questions last Wednesday to be thoughtful and intelligent. I found her to be bright and capable, and I think cognizant of her limitations as well as her strong qualifications.

Secondly, she comes from a strong background, from two fine Pittsburgh schools, from one of the best law firms in the City, and I think she represents perhaps the only way that govern-

ment can prevent itself from becoming stale and cumbersome, and that is by getting talented people from the private sector to inject government with energy and with creativity.

I think also that her strong background in municipal finance will be a real asset to the City. We must invest more in our neighborhoods and in the current situation where the federal housing money has completely depleted, I think that the only solution is to come up with sophisticated techniques for municipal financing, including tax increment financing, which is what Ms. Conturo's specialty is. Finally, I think that the City Solicitor's role is one of supervisor, and I am convinced that she would be an able supervisor and be able to balance the various pressures that come in the City Law Department.

So, for these reasons, I will vote for Mary Conturo today to be the next City Solicitor.

I do think that there is one flaw in the system that came up in last Wednesday's meeting, and that is the built in potential conflict of interest in the City Solicitor's position under the City Charter. As we discussed last Wednesday, the City Solicitor is the lawyer for both the Administration and for City Council. That does present, I think, a built-in conflict of interest and we all discussed it and I think we have different views as to how that should be resolved. I would urge Council to resolve it quickly, for us to address the issue quickly, and either to hire our own legal advisor or to have somebody designated in the City Law Department. I, personally, haven't decided which way it would be better; I would be open to either solution. I realize that is not the issue on the table at the moment, but I would urge Council to move on that pretty quickly.

Michelle Madoff:

I would like to echo the sentiments of my colleagues, Mr. Cohen and Mr. Coyne, and while I do not entirely disagree with Mr. Ricciardi, it seems to me that from hanging out in government all these years and what I've been able to observe, this is one person coming to us with unusual skills, unusual background, and many, many years as a professional. If memory serves me well, most of the people who have come to our Law Department, who headed our Law Department, were law clerks. They started out as law clerks; we're getting a pro who has had ten years experience.

We should also, perhaps, touch on the fact that the U.S. Attorney and the District Attorney's Office are generally not people who are litigators; they're administrators. I would like to have a good administrator who can find us, for the various breath and depth of issues that come up before the City, people who are specialists. For example, I recalled during the cross examination of Ms. Conturo that someone mentioned something about utility rates and wanted to eliminate going outside of the City and do it in house. Well, I recalled that Marv Fein who I have known for over 20 years, he started with me in GASP, has a great deal of expertise in utility rates. He's now with a private law firm, but I can't think of anybody off the top of my head that would be better to hire if we had a rate problem that we were fighting as a representative of our taxpayers. I don't know that we need necessarily always to keep someone on the City payroll who just has expertise or their great strength is in utility rate structures. On those rare occasions, we should go out to the private sector.

The one thing that I must agree with Mr. Ricciardi on, and I think that we're all getting a taste of it and I'm glad it's so early, is that the rest of us who have been here a long time are sick and tired of having 20 minutes to vote on something,

whether it's the Pirates or whether it's Alcosan or whether it's the Water and Sewer Authority. "If you don't vote right this minute to go out, we are going to lose the time to do Grant Street. It will be your fault because we need the summer and you, City Council, are going to be responsible." If we recognize it as a body very early, and if we can sit down, through the efforts of the President of Council, with the Administration, and plead our case that we don't want to be offering the service not only as Councilpeople but as scapegoats, that we would like to be part of the process and meet early enough so that we are not the victims of the fact that we have 20 minutes to vote. I think that the point that was made, that if we had that information on Ms. Conturo early, we should certainly have had it.

Finally, no person, no man, no woman, can serve two masters. I would like to respectfully ask that Mike Perry pull out my bills, they've been introduced three times, twice they failed and once they passed. We even went to court on it; I'll show you the court ruling that says that Council is entitled to have its own legal counsel and separation of powers. And then we can do exactly what Mr. Cohen has said, we can start to address the issue of whether we want to have our own legal counsel, have that person work in the City Law Department so we don't go through the problems that Mark Pollock addressed which are, we'll have a law library and we'll have to have secretaries and we'll have to have this great big body that the taxpayers will have to pay for. We can eliminate that by hiring our own attorney.

Just remember one thing. Whoever is hired in the Law Department, and may I correct Mr. Ricciardi, that person does not represent me. I don't feel after 11 years that the Law Department truthfully represents me. I believe that that person represents the Administration who pays them and I believe that the Administration also has the right to choose their own lawyer in

the same way that we should be given the same respect. We are, under the Home Rule Charter, allowed to hire our own attorney; let's go ahead and do it. And let's do it in an economical way.

I think that this woman is outstanding, I'm flattered that we have the chance to vote for her, and I will vote positively for her.

Mr. Ferlo:

Mr. President and Members of Council, I don't think it's any secret that I'm not happy with this appointment, and I've labored long and hard on this issue for the last week. I wasn't happy initially with the written information that we received concerning the candidate's background; it was much too succinct a resume, as far as I was concerned. I was not happy overall. And contrary to some of the comments made here today, I was not overly impressed, as I was hoping that I would be, with her actual interview before Council.

But for a lot of reasons, including the fact that I would say in the last four or five days I have probably received about 30 or 40 phone calls, most of them are individuals who I have a lot of respect for who have called me on behalf of the proposed Solicitor, Ms. Conturo, and I would say general comments to me from some of the community folks were sympathetic with my initial observation that the individual is lacking not only in litigation but did not bring to the office the broad background of municipal law which we discussed a little bit at the table.

For a bunch of different reasons, I'm going to be voting in favor of the applicant today. I think it's important that we send a good message and, certainly, as I sensed from some of the other Councilmembers here, some of whom have expressed themselves and some of them I've talked to privately, I think it's important that we try to get a unanimous vote for her if we can,

even though there's some division in the house on her appointment. I think we need to send her the right message. This isn't a bond issue and a major ideological debate; this is really a question of whether we think she's qualified and do we have reasonable assurance that she's going to do a good job. And I do believe that after having discussed a number of issues with individuals who, frankly, have lobbied on her behalf. I don't find anything wrong with lobbying, especially if they can contribute something to debate.

The fact of the matter is, we do have a strong mayor-form of government and this is the applicant that has come from Mayor Masloff and Mr. Mistick, in particular, who has lobbied on her behalf, and I do have a lot of faith in some of the new administrators that the Mayor has appointed and I'll defer to their judgment and, to a large extent, hold them accountable and responsible, especially in the coming year, for some of the actions of the Solicitor.

I was happy to hear some of the comments of Ms. Conturo when I talked to her about the issue of advocacy. I have felt for some time that City government, specifically the Solicitor and his or her resources, in this case her resources in that Law Department, need to be much more vocal on behalf of the citizens and this Council on a broad range of advocacy issues from utility rate cases to appearing before the Insurance Commission on opposition to increases in the over 65 special. There's a whole gambit of concerns that we need to be much more vocal on as a municipality, and I do feel confident that Ms. Conturo will bring some renewed energy and some renewed vigor to the office and I look forward to trying to work with her specifically on some of those issues.

I think the Law Department is really at a crossroads, and that's partly what I was struggling with and trying to come to a conclusion on her appointment. I guess my relationship with

the previous Solicitor, starting out very much as an adversary and in the end growing to respect the individual a lot, actually appreciating his fineness. The Law Department is at a crossroads. We're talking about a different management style, a different type of tenure that will be the reign of Ms. Conturo as opposed to the previous Solicitor. I think that's basically legitimate difference of opinion. And we've tried the other way, a strong Solicitor, "Everything comes to me, I'll do everything." There's legitimacy to that and I think now we're approaching a different potential here of a strong manager person who will direct the legal resources in that department, even as lofty as developing it as a municipal law firm that was euphemistically referred to. I think that's a strong case in point. I think we need to give her to opportunity to do that.

The issue of the legal advisor, I was a little bit concerned I think partly because she is so new to City government, we should make it clear that at any and all times when she is requested to appear or respond to anything that is before Council, that is her responsibility equal to her responsibilities to the Mayor as the Chief Executive Officer here in the City, and not a delegated responsibility to any Deputy Solicitor.

We've touched on a little bit, even though it's not on the issue before us today, the agenda, the Council Legal Advisor. I have no problem with Ms. Conturo assigning one of the Solicitors to work with Council on the drafting of legislation and that would be more of a legal skill and the drafting and review of the Municipal Code and all that. But if we really want an independent legal advisor that needs to be an independent person that is hired and accountable to Council through the President and through the leadership that was established. If Council wants to move in this direction, there are many reasons why we did not or could not do that in the previous year, then we have time still

to re-open the Budget and that is something that Councilmembers should initiate very quickly if we want to really have that discussion. So, I hope that someone will take up the leadership on that because if we want our own legal advisor, that should be an independent person that is accountable to us and not a delegated individual in the Solicitor's Office.

So, overall, weighing her plusses and her minuses, I don't think there's any question of her academic background and it is clear that she brings certainly a tremendous legal background in one specific area of the law and, contrary to comments made by Mr. Cohen, I would hope that the Administration would think a little bit more about her expertise because really, if you review the activities of the Solicitor in the past, they really have nothing to do, or have not had anything to do with areas of municipal finance. That's not to say that her duties could be reconstructed a little bit, but that needs to be clarified by the Mayor to really use her to the fullest extent possible given her legal background.

So, I'm not overly happy. I wish it were an applicant who had a broader background in municipal law, but I think overall she's certainly a competent individual and I will be casting a vote in favor of her, partly to send the right message.

Mr. Regan:

Mr. President, I don't represent the Administration, I represent the people of the City of Pittsburgh, and I'm very much surprised that my outstanding colleague, Michelle Madoff, didn't say something about the grilling that that poor lady took here in Council.

Michelle Madoff:

I did earlier.

Mr. Regan:

I think that it's a new day in the City of Pittsburgh with Council by District and I think we saw a very outstanding young lady come before us and the grilling that she took, I was amazed how she stood up and the questions that she answered. I think we're going to see one of the real bright women in the State of Pennsylvania and I think she arrived on the scene at that Council meeting. And I, for one, am going to cast my vote for her. Thank you.

Mr. Ferlo:

Mr. Chairman, Point of Personal Privilege, very briefly, since we are drawing on the fact that the applicant is a female. If we look very quickly, and just coming into the meeting I quickly added up the number of positions of directors and some of the top administrators in the City, and of the 25 that I counted, 9 are female and 16 are male. But equally disappointing to a large extent is the number of Black and minority leadership in this City. If we look at the number that we have, I only found two Black males who headed up departments and no Black females. So, while it's not the issue right before us today, I do think that we need to discuss these issues because, if I add up correctly also, there are only two more appointments basically to be made, the Water Director and the Director, at some point, hopefully, the Housing Authority of the City of Pittsburgh.

And I think as a footnote to the discussion today, it is legitimate and appropriate for Council to illustrate and raise concern about the leadership positions in City government. And if we do a quick survey, both male, female, Black, White, and Black female in particular, it's a sad situation that needs to be addressed. And it really needs to be addressed by Mayor Masloff, who I think will address it, but I think we should comment on that today as we fill yet another va-

cancy in City government.

The Chair:

Judging from the comments that all of you are making, it appears as if Ms. Conturo has an affirmative number of votes. I am voting in favor of her, however, I agree with most of the comments made by all of you, including some of the drawbacks.

I just want to mention in particular in regard to Mr. Ricciardi's comment, I believe that Ms. Conturo made some commitments at the table last week and I know this Council will hold her to them. One commitment was that she will be available whenever Council requests her to be available. In addition to that, she will assign a lawyer to Council that will work on the daily chores that are involved such as advice on legislation and the daily phone calls that many of us make to the Solicitor's Office. I think that's a very positive commitment. She will return phone calls in the future to Councilmembers and, if not, this Council has the capability through the Charter to demand her presence in this room and to answer questions as to why not. So, I believe she made a commitment to do that and she will follow through on it.

I believe the woman is well-qualified, has an excellent background; however, she is subject to questions in regard to legal capability in municipal law. However, I think she has tremendous capability when it comes to financial expertise in the area of law in regard to this City and I believe that is a very positive, progressive move by the Administration. We need more people in this administration that have expertise in the area of finance, particularly people in the Law Department. I believe she will grow in the position and will become an excellent Solicitor.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner (Pres't Pro tem)

AYES 8

NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment of Mary Conturo was approved.

REPORTS OF COMMITTEES

Mr. Ferlo presented

Bill No. 60

Report of the Committee on Planning, Housing and Development for January 10, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 17

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with NeighborFair Pittsburgh, Inc., for the operation of the Neighborhoods for Living Center at a cost not to exceed \$150,000.00."

Which was read.

Mr. Ferlo:

On this bill, Mr. Chairman, we had requested some additional information regarding the budget of the organization that we are entering into contract with, the listing of their new Board of Directors and a copy of the by-laws which I received a couple of days ago and Xeroxed it and put it in Councilmember's mailboxes. Hopefully you received it. That was basically the additional information we requested.

I would ask that one of the first objectives of the group be to resolve whether or not the NeighborFair will take place in the future. It's apparent that it will not happen this year. There are many in the community who think that NeighborFair is a good outreach event for neighborhood groups and I hope that the Director and the Board of the new organization we're funding will grapple with this issue and if there are additional resources needed from City government to conduct a NeighborFair, maybe it's something by budget time they would be able to re-appear in Council to discuss the issue.

Michelle Madoff:

I'd like my comments brought forward from the other day.

(BEGINNING - MICHELLE MADOFF'S COMMENTS ON BILL NO. 17, WEDNESDAY, JANUARY 10, 1990.)

Michelle Madoff:

Mary Lou, like most people I was surprised that your entity had broken off and gone out into the private sector and while I certainly applaud and support the NeighborFair concept and I think it does do a tremendous amount for the morale and for the communities, I have what I consider a greater issue for taxpayers dollars and that is that -- and I would hope that you are able to raise more money and if necessary we should give you what you need and the reason for that is that it is no secret that -- you touched on it quite eloquently that the movement by everybody serving their own pocketbook, particularly the realtors, is to steer people to the suburbs and with the new highways going to the Fox Chapel area -- Route 28 is like a breeze -- the new highway going to the North Hills, I-79, the roads going to the airport, the development of the airport where we're likely to see another convention center, we are liable to see -- that could become the hub of this community if we're not careful. We had better do something very quickly to educate realtors and make it profitable for them to encourage people to stay in the City. Are you doing anything in the nature of taking -- 100 people come to you from the Chamber of Commerce. They become -- if you don't get them immediately they go somewhere else. You've got to strike while the iron is hot. What are we doing to educate the real estate people to know what we have available, taking them on tour, showing them the availability, giving them information as to what funding is available and why they should be promoting our City. That's an area that must be addressed and very quickly and there are also I believe funding sources for first-time homeowners and other URA subsidies -- anything that we can make it palatable and encouraging to keep people in the City must happen quickly and I see your organization as that vehicle and I would like you to address, if you would, very quickly my concerns and what you can do to stop this exodus to the suburbs through your group particularly.

Ms. Daniel:

Well, I think you have asked a lot of things but let's deal with the realtor issue. We are certainly concerned about dealing with the real estate professionals. Over the years we have done a number of things including helping neighborhood organizations better understand the real estate market and how it affects the development or the growth to help that community. In many cases, we have real estate agents, brokers and salespeople who are actively selling in the City of Pittsburgh who will work with us to help us help the neighborhood groups do better at that. Where we have met resistance -- and I'm not saying we have not met resistance -- we have tried to work so that the community group takes over the marketing of it. We will continue to work with the real estate community to make them understand that they do -- and they do have to take a more aggressive stance. There are people who like city living and they are cutting their own throats as we try to tell them by not being more aggressive in marketing homes in the City.

One of the things we have found is that many, many people who are in real estate are suburban dwellers. They have always lived outside of the City and they have no concept of city living. They don't understand the programs that are available to them nor do they want to understand them because it takes a little bit more time to do that.

We will continue to work with them. We will continue to work with the banks and others who are working with the real estate community. We will work with the Housing Department of the URA and the Planning Department and whomever else is interested in this but the real estate community will continue to be contacted by us so that they take out I think some of what has happened over the past few years.

Michelle Madoff:

I guess I neglected to point out that my greatest concern is that this wage tax concept that it's too expensive to live in the City must be combatted and we have to deal with it.

(END OF COMMENTS)

(Prepared by: Mary Anne Hruska, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Two items, Mr. President and Members of Council. As you may recall, I raised the issue when the Mayor appointed Mr. Don Cimino as head of Building Inspection replacing Paul Imhoff, that it might be a good idea to have him

come to Council either in a public meeting, perhaps our Tuesday meeting, so that the public will have access to hearing his comments as opposed to a post agenda which I originally sought. A post agenda is not televised and the public doesn't know what is happening.

As those who have been on Council for a number of years know, one of our greatest number of calls are from people who have problems with abandoned houses and the problems they create and the havoc they create in the community. I would very much like to know what is transpiring and also, in light of the investigation going on with reference to the problems we've had with demolition, I'd like to know his thoughts and what perspective Mr. Cimino is coming from. I think it would be beneficial to all of us to interact with him and I respectfully request that the President decide whether it would be on a Tuesday, a Wednesday, or whether you want to do it as a post, although I think we short-change the public on a post agenda.

People may not recall, the televising of Council gavel to gavel was my legislation and many of us who supported that legislation felt that everything should be televised. Maybe some of the budget hearings might be foregone because it seems that a lot of it is repetitious and dragging and so on. Maybe the important things will be there if there's a time frame or a dollar constriction.

The real meat of what happens in this Council, ladies and gentlemen, if you're listening in, is not in these Council meetings. It happens in the hearings and it happens in the post agendas where it's really discussed. I would suggest that we reconsider that sometime as a point of our discussion in Council.

AT THIS TIME, THE FIRE ALARM WAS HEARD AND, ON THE MOTION OF MR.

COYNE, THIS COUNCIL MEETING WAS RECESSED.

The Chair:

The Recessed Meeting is called to order. Ms. Madoff, you had the floor.

Michelle Madoff:

The issue I was talking about is having Don Cimino from Building Inspection come before this Council. I took the opportunity during the recess to speak to Mr. Wagner, the President of Council, who is going to notify us in what forum we will have the chance to interact. If we do a post agenda, unfortunately, the public will not be privy to what is said. Perhaps the first time we have an item on the agenda on demolition might be the time, since he's a new director, to interact and talk to him about philosophy. But we'll await the pleasure of the President of Council in addressing that.

On another matter. I would like to read a letter into the Record and share with Council and expand on what is happening. But I think the letter is so self-explanatory that it would save us a lot of time.

"January 12, 1990

Dear Mayor Masloff:

In October of 1988, I convened two breakfast meetings with the leadership of the major non-profit, tax exempt entities in the Greater Pittsburgh area, representing the houses of worship, the arts, educational institutions, health care providers and community service agencies such as United Way, UJF and The YMCA, etc." — I might mention that for those two meeting I was recorded as absent here in Council. It was the only convenient time that the

groups could get together. So, if Mr. Schmitz is listening, that's where I was.

"As a result of these initial meetings, these non-profit organizations, under the coordination of the Hospital Council of Western Pennsylvania, lobbied long and hard in support of the Administration's position on tax reform. Though the tax reform referendum was defeated, they have continued to meet as an ad hoc group.

Today I spoke with Bill Horvath of the Hospital Council of Western Pennsylvania which acts as the coordinating body for the ad hoc group. He informed me he believes that despite the financial constraints of the individual tax exempt organizations, there is a great deal of empathy for Pittsburgh's economic problems.

It was agreed that I should seek a meeting with the Administration, City Council and the non-profits with the objective of creating a "focus group". The agenda would be open, non-restricted and provide an opportunity to share thoughts without any preconceived ideas while working together to seek creative solutions to the tax problem.

I will be happy to act as a liaison with the ad hoc group and contact Mr. Jack Robinette, President of the Hospital Council of Western Pennsylvania, to convene a series of meetings so that we may move forward in a positive, pro-active way. Mr. Horvath will be happy to continue acting as staff liaison to bring all the parties together.

I will be pleased to represent you in facilitating this urgent business.

Awaiting your reply.

Sincerely,

Michelle Madoff"

Now, what happened originally is that we met, there must have been 30 groups represented, just everybody was there. They understand the problems we have and I think that they realize that something is going to happen and rather than being hit on the head, they'd like to be part of the process. I think that's the correct way and the correct place for us to begin.

The letter went out on Friday. I have not heard from the Administration as yet. I am meeting with them at 2:00, but I would suggest strongly that we support this kind of interaction and that we, through the activities of the President of Council, his prerogative, create perhaps a post agenda or a hearing. This is your decision. Do you want the public to hear? I certainly think they would like to know. Perhaps a hearing or a post agenda. We'll invite the 30 groups, we'll invite this ad hoc group, we have Council present to interact, and we have the Administration here. Certainly we would be here. I would like to make that in the form of a motion and I hope someone would second it.

Mr. Ferlo seconded the motion.

The Chair:

Is that a public hearing or a post agenda?

Michelle Madoff:

I defer to you, Mr. President. What's your pleasure?

The Chair:

I think a post agenda would be more informal and I think more could be accomplished. And it could even be done, actually, in a private meeting. There would be nothing wrong with doing that.

Michelle Madoff:

Let's not start private meetings under the Sunshine Law.

The Chair:

I mean individually with the various groups, if you want to do that.

Michelle Madoff:

No, I think that that's what I'm trying to avoid. I think we should all get together as a body.

The Chair:

Okay, so you would like to do it here as a post agenda?

Michelle Madoff:

Yes.

The Chair:

There's actually no need for a vote on that.

Michelle Madoff:

Thank you, and our office will notify all the groups and we will schedule it at your pleasure. I will not be here from the 31st to the 10th and I just want to go on the Record with that.

The Chair:

Mr. Perry, will you please proceed with setting up a post agenda.

Mr. Perry:

Yes.

Mr. Ferlo:

Mr. President and Members of Council, just a few brief housekeeping matters. A reminder that a post agenda will take place tomorrow after the regular meeting on the issue of the WHIP Program asking the Administration and the URA to come to Council and talk about potential reduction if not the elimination of this Weatherization Program. That's tomorrow afternoon.

I had also scheduled for next Wednesday a meeting with bank officials and representatives of the PCRG. This is on the issue of the proposed merger with PNB and First Federal. Both parties are now presently in negotiations which they both termed as sensitive. So, with that in mind, I think it would be appropriate to postpone that meeting, allow the individuals to negotiate, wheel and deal, whatever they need to do, and if at the appropriate time, sometime in the future, we need to take that type of advocacy stance on behalf of City government, we can quickly move to do that. But, given the fact that both parties are negotiating, Mr. Stanley Lowe's comments from PCRG, a letter to me this morning was that they're sensitive and they'd like an opportunity to have some movement, some time to move around.

So, let's postpone that, give the members of the working group time to negotiate what they termed as sensitive negotiations with the bank officials.

The issue of the Housing Authority, I've submitted legislation today which is not secret. I'm very concerned, as I think all of Council should be, not only with the so-called severance pay being proposed for Mr. Pietragallo, the for-

mer director, but more importantly, or equally important, is the manner in which in violation of the Sunshine Law and other irregularities, the manner in which this proposal is taking place.

My bill will be up for discussion tomorrow and I'm asking the City Clerk to please communicate to the Administration and to the Administration of the Housing Authority, be it Mr. Washington, the Acting Director, Mr. Colbert, the Board Chairman, to be present in Chambers tomorrow to discuss this issue and also to bring with them minutes of the board meetings where these actions supposedly or unsupposedly took place. I would like the Clerk to notify the parties, including the representatives of the Mayor's Office who I think need to get a little more involved publicly in this whole fiasco at the Authority.

Two brief points and I'll close. It has taken me a year to finally get a house demolished on North Euclid Avenue in the East Liberty community. It finally went out to bid, Karas Demolition Company has the bid. Even though they received a bid and did not initiate the work, there's a 45 day clause in demolition contracts in the City. A much longer period of time passed than the 45 days, they finally initiated work. They started tearing the house down. Well, now the house has the roof off and it's up to the second story window and they have disappeared for the last three weeks. This building is now falling in the alleyway and the public street. It is a major safety hazard in the community.

I've communicated to BBI but some immediate action needs to be taken. I'd like the Clerk to communicate to the Public Safety Director the possibility of closing off some of the area with barricades if need be. But somebody needs to monitor the demolition work better than what has taken place in the past. This is not the first time that I've been unsatisfied in which demolition contractors have done their performance, the quality of their performance.

So, if Mr. Karas is listening, I hope that he will move quickly by the end of the week to get this house down to grade level. If not, I may start bringing some of the building materials out to his office on West Carson Street if I need to.

The last thing is a request to Council and it concerns an issue which I found out about just a few days ago and that's the proposed concessionaire contract with the Pittsburgh Zoo. The reason why this is important is that it's a contract that will be signed and will basically lock in our relationship between the City and whoever the concessionaire is for the next ten years. What I'd like to see is a letter from Council asking that the Administration hold off in signing the contract until such time that Council can intervene and review some of the materials.

The basic issue in a nutshell, and I'll try to be brief, there are four different vendors, companies, that bid on the work for the Zoo. This is the concessionaire stands, all the gift items and the food and the rental of strollers and all this kind of activity. The contract will be proposed to be given to an out of town firm from Denver, Colorado and I think there's a problem with that for a variety of reasons. One of the individual groups that bid on the work is our own Friends of the New Zoo. What they were proposing is to use the revenues that they would gather from the sale of items at the Zoo to actually recapitalize and put money back into the Zoo.

So, for a lot of reasons, and it's too lengthy to really give an overview knowing all these contract issues, I would like to see if Council could please join me in requesting that the Administration not sign the contract until Council can review this information. I just received this information this morning.

Michelle Madoff:

Is that a motion? I'll second it.

Mr. Ferlo:

Yes, it is, but let me just say one thing. I'll just take one paragraph out of this summary. The Friends of the New Zoo proposal was given very strong consideration because of the close working relationship and past support of the Pittsburgh Zoo. The proposal, meaning the proposal that they bid for the work, offers the highest capital investment figure. However, the capital funding would come from a loan from PNB. The bank has requested that any contract between the City and the Friends of the Zoo specifically state that the City will guarantee payment of any outstanding loan balance should the Friends of the Zoo be unable to make payments.

The basic point is, we have a golden opportunity here to award a contract not only to some entity that is a local company, but if it can't be a local company, I would like to see at least an arrangement worked out where the Friends of the New Zoo can get a piece of the action, even if they are only allowed to sell the gift items. Again, that money comes back to the Zoo and we're locking ourselves into a ten year agreement.

So, I make a motion to send a letter to the Administration asking them to hold off on signing the contract and I will Xerox this informa-

tion and relay it to each Councilmember. And maybe the Chairman of that Committee could take the time to convene such a meeting. It's a very important issue.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Michelle Madoff:

On an issue that has been discussed, Mr. President, it seems to me that if Mr. Ferlo is giving up the date, the 24th, Wednesday, for a post agenda, that we could schedule next Tuesday and Wednesday, I'll have to check my schedule to see when I'm free, to do Mr. Don Cimino of Demolition which is the issue I raised. And now that Mr. Ferlo is giving a graphic example of the kind of problem all of us have been dealing with, do one of those and perhaps the tax exempts. It's harder for them to get together, but we ought to do it very rapidly. They're already going for blood in the Administration and I'd like to try to do it in a friendlier way. Mike, check with my office to check my schedule.

The Chair:

That post agenda will be scheduled on the 24th.

And on the motion of Michelle Madoff

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, January 23, 1990

No. 4

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 23, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. Regan:

Mr. President, I don't know if I'm out of order or not, but I'd like to introduce at this time Bob Caldwell, the head basketball coach at

North Allegheny High School. He brought some students here from North Allegheny High School and I would like them to stand.

Mr. President, I also would like these young people from the suburbs to know what a great city we have here in Pittsburgh and, when they graduate from high school, we would like them to very seriously think about moving into the Number One City in the United States. Thank you.

The Chair:

Thank you, Mr. Regan. And thank you all for coming.

PRESENTATIONS

Mr. Coyne presents

No. 84 WHEREAS, the Council of the City of Pittsburgh recognizes that there has been a large influx of New Irish immigrants into the Pittsburgh area in recent years and that, the overwhelming majority of these new immigrants are undocumented; and

WHEREAS, many of the new immigrants do not have close family ties in America and are therefore unable to achieve legal status under the current immigration system; and

WHEREAS, the City Council is aware that this wave of immigrants follows in the tradition of previous generations of Irish in that they are hard workers and eager to contribute to the

American economy; and

WHEREAS, the people of Pittsburgh are keen to see that the new immigrants have the same opportunity to contribute as past generations; and

WHEREAS, the Congress of the United States is currently considering the issue of Immigration Reform.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls upon the Congress of the United States to enact Legal Immigration Reform which will introduce an independent category for immigrants who do not have close family ties and also to ensure that any such legislation passed provides redress to Ireland and those other countries identified by the State Department as being adversely affected by the 1965 Immigration Act.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

I have with me here today Mr. Bob Cunningham who is a member of various Irish groups in the City of Pittsburgh and today is representing the Irish Immigration Reform Movement. Bob, would you like to say a few words?

Mr. Cunningham:

Council President and the rest of City Council, on behalf of the organization I'm representing, I'd like to thank you for this gesture of support.

If I may, I'd like to cite why this is so important, the goals that we're striving for. In

1965, an immigration law was passed that addressed the injustices of past immigration practices, namely the exclusion of the non-tradition immigration groups. That law had the unintended effect of closing the door on the traditional sources of immigration to this country, namely Western Europeans.

Presently, the Irish Immigration Reform Movement is trying to serve the needs of the approximately 100,000 illegal Irish aliens in this country today. I hesitate to use the word "illegal" because it connotes a criminal sense, but these people are undocumented. They live in fear of exploitation. They have to overcome the obstacle of strict quotas upon their nationality.

If I may, I would like to thank Councilman Coyne and Council President Wagner for supporting this because, when I take this to New York and give it to the people who are going to be lobbying for this immigration reform, they'll be able to show that there is widespread support across the country, especially in a city like Pittsburgh, for immigration reform.

And on behalf of the young people who are waiting to get legitimate legal status here in this country, I thank you.

The Chair:

Thank you, Mr. Cunningham.

Mr. Darkins presents

No. 85 WHEREAS, on Saturday evening, January 27, 1990, Sheriff Eugene Coon will be inducted into the International Police Association's Hall of Fame; and

WHEREAS, the International Police Association is the largest organization of police officers in the world, and is recognized by the Secretary General of the United Nations, and

WHEREAS, in 1947 and 1948, Gene Coon served in the U.S. Army with the 7th Infantry Division, and with the start of the Korean War Gene re-enlisted and served during 1950 and 1951 as a Combat Infantryman with the 1st Calvary Division; and

WHEREAS, Gene Coon began his law enforcement career in 1952 with the Pittsburgh Police Bureau, and diligently worked his way up to the position of Assistant Superintendent of Police in 1965; and

WHEREAS, in 1969 Gene Coon resigned from the Pittsburgh Police Force to run for Sheriff of Allegheny County, winning the election and receiving the largest number of votes ever received by any candidate running for office in Allegheny County, and Gene has been elected as County Sheriff for 6 consecutive terms; and

WHEREAS, Gene Coon is a member of the Fraternal Order of Police, Lodge #1, the Western Pennsylvania Chiefs' of Police Association, the National Sheriffs' Association, the Pennsylvania Sheriffs' Association, the American Legion, and the Veterans of Foreign Wars, and Gene has served on numerous boards and has been very active in community service; and

WHEREAS, throughout his career, Gene has been supported by his wife, the former Donna Galbraith, and four children, Tim, Kerry, Laurie and Jennifer.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Sheriff Gene Coon for his outstanding career in law enforcement, and congratulates Gene on his induction into the International Police Association's Hall of Fame, and

BE IT FURTHER RESOLVED, that the Council proclaims the day of January 27, 1990 SHERIFF GENE COON DAY in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. Chairman, Point of Personal Privilege. I'd like to know if the Councilman would consider a friendly amendment and that is, on the day of January 27th at the dinner giving the recognition, on that day we declare the day, January 27th, Sheriff Gene Coon Day in the City of Pittsburgh. I think that would be an appropriate amendment.

Michelle Madoff seconded the motion.

Which motion prevailed.

Sheriff Coon:

That sounded more like a press release than it did a resolution.

I want you all to know that I feel at home in these Chambers. Former Governor Lawrence, former Mayor Lawrence, swore me in as a Police Sergeant in this Chamber many, many years ago. As a matter of fact, it was 1957. And although I've enjoyed being the Sheriff of Allegheny County, my heart is still with the City Police and always will be. Thank you all so much for the honor.

The Chair:

Thank you, Sheriff.

Michelle Madoff:

Mr. President and members of Council, this is sort of an awkward resolution and the recipient is not here, but it needs to be read so that we can send it to him and he can keep it in his office.

Michelle Madoff presents

No. 86 WHEREAS, the legal work provided by H. Yale Gutnick, Esquire in connection with the recent racketeering, extortion and tax investigation spanning a period of over three years, entailing hundreds of hours of his time, was estimated to be worth well over \$30,000.00; and

WHEREAS, because of Mr. Gutnick's generous public spirit towards this City and its residents, this work was undertaken at no charge to his client, Michelle Madoff; and

WHEREAS, the matter might not have come to its lawful culmination were it not for Mr. Gutnick's perseverance and personal integrity; and

WHEREAS, Council subsequently approved payment of a nominal bill in the amount of \$2,966.50 submitted by Mr. Gutnick for his legal services in connection with a civil suit arising from the investigation; and

WHEREAS Mr. Gutnick's awareness, and that of his firm, STRASSBURGER, McKENNA, GUTNICK & POTTER, in recognizing the public benefit arising from participation in this investigation has, in that same spirit, chosen to pledge the amount of this legal bill to the Make-A-Wish Foundation of Western Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pitts-

burgh hereby expresses its thanks and appreciation to H. Yale Gutnick for his contribution to the City of Pittsburgh and the Make-A-Wish Foundation and considers his feeling of indebtedness to the City "for all opportunities and advantages derived as a result of living in an extraordinary city" as "Paid in Full".

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I'm presenting a resolution pertaining to Hurricane Hugo and I would like to ask Director Gaetano, Mr. Tiglio and all the people that participated in the Hugo clean-up effort in Charleston, South Carolina, to please step forward. I know you have a copy of the resolution already. Also, inside the resolution is a photo of the group.

We have representatives from each of the various departments that participated in Hugo. Not all 37 people are here today, but the resolutions will certainly be passed on to them.

The Chair presents

No. 87 WHEREAS, on September 21, 1989, one of the worst hurricanes of this century, Hurricane Hugo, roared up from the Caribbean and made a direct hit on historical Charleston, South Carolina, with its 135 MPH winds; and

WHEREAS, the City of Pittsburgh responded to the call for assistance from the City of Charleston in the aftermath and catastrophic destruction of Hurricane Hugo; and

WHEREAS, the contingent of people and equipment sent by Mayor Masloff from the City of Pittsburgh was the largest of any City assisting in the clean-up effort; and

WHEREAS, the following Pittsburgh volunteers worked for seven days, 12 to 14 hours per day, removing debris, cutting trees, repairing roofs and doing "whatever it took" to rebuild Charleston and to help the people in the clean-up effort after "Hugo": Sam Tiglio, Ed Kreuzer, Terry Matuszak, Greg Feigel, Roger Abbott, Bill Ahlin, Robert Bowe, John Brandon, Damon Blankenship, Stanley Bruno, John Bucci, Stanley Franiewski, Ron Gembarosky, Calvin Glover, Sam Godino, Isaac Harris, Sandy Heintzinger, Russell Killcrece, Tom Leech, Hugh Morgan, Dorse Moye, Willie Oakley, Mark Pampuch, Charlie Puerzer, Joe Ranft, Ron Rogalsky, Paul Romah, Lonnie Rotondo, John Sabo, Bill Seaman, Jim Smith, Anthony Stasiak, Spencer Thornton, Howard Tracey, Robert Vavro, Dale Vezzetti, Mark Yourick, Lou Gaetano and Jack Wagner; and

WHEREAS, all of the workers returned to Pittsburgh safe, sound and a little tired after leaving an indelible mark on the City of Charleston, South Carolina.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and thank those who gave of their time and effort to help those in need and once again showing why Pittsburgh's greatest asset is the caring spirit of its people.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

I would simply like to interject in addition to the resolution, I cannot commend Mayor Masloff enough for putting this group of highly skilled people together to go to Charleston. They did an exceptional job. It was an honor to be part of it, and Pittsburgh truly left its mark on Charleston, South Carolina. The resolution is a little late, but it's better late than never, and it certainly is deserved of each and every person that took part in that effort.

There's also a commemorative photo in the resolution of all of us standing down there at the job site on the last day of work, and I can't say enough about all the effort that went in from the various departments.

The Department of Public Works coordinated the effort through the Mayor's Office and I would first like to introduce the Director of Public Works, Lou Gaetano. Lou, please say a few words.

Mr. Gaetano:

Thank you very much. If you had been there and had seen the devastation in Charleston, and at the end of the day if you would have seen the actual people from their homes, how they came out and thanked us for what we were doing, you would have been very, very proud to be a Pittsburgher.

I'd like to thank Terry Matuszak, Sam Tiglio and Ed Kreuzer who helped coordinate this, all the members of Environmental Services, General Services, Parks and Recreation and, of course, Public Works.

I had many, many calls and letters from people who do not live in the City of Pittsburgh who are former Pittsburghers. They were all very proud to say that they were Pittsburghers. I've had people call me from Mount Lebanon, Dormont, all the boroughs and townships, and

they didn't refer to themselves as being a Dormont-ite or wherever they were from. They were all Pittsburghers and they were very, very proud of Pittsburgh.

Again, I thank all of you and I thank the Mayor for sending us.

The Chair:

I would just like to introduce one of the two people that supervised the entire effort, Sam Tiglio. Sam, would you please say a few words? And I want to say prior to that, if anyone ever needs their tree cut down, Sam does a heck of a job with a chainsaw.

Mr. Tiglio:

Thank, Councilman and Mr. President. I have to say that this is probably one of the highlights of my career in public government. It's been 40 years since I've been in public service and I've never been touched by anything in my whole career as I have been touched with this Charleston situation.

Again, a lot of thanks have to be passed and commendations have to be given to the 37 people that went down there because everybody put in a hell of an effort. The effort that they put in, I think, is second to none anyplace. The contingency that we had down there worked together. There was never one argument; there was never one consideration about not doing anything. They pitched in and they did what they were asked to do. This is the soul of a successful operation.

I have to say that if anybody in the audience here has any labor work that they need done, Jack Wagner is a hell of a laborer. I think the respect that Jack gained down in Charleston from the group that was down there I think will never be forgotten.

And, Jack, I want to say thanks for the effort that you put in with us and I think you being there just made us work that much harder.

The Chair:

No, Sam, I think you made us work harder.

Mr. Tiglio:

Nevertheless, we won't throw accolades back and forth, but I want to say thanks to everybody that was there, especially my assistant Eddie Kreuzer, and to Terry Maruszak who coordinated the effort of the contingency that went down and back. He headed the convoy and I think he did one terrific job keeping all of that equipment together and bringing everything down there and then bringing it back. And, Terry, again, I want to say thanks to you and to all the men that participated. Thank you very much.

The Chair:

One of the workers, Lonnie Rotondo, is going to say a few words.

Mr. Rotondo:

The workers asked me to speak for them and we just wanted to thank both Jack Wagner and Lou and everybody else that was involved for the spectacular job they did of coordinating down there. The people would not believe how smoothly everything went. We weren't looking for commendations or anything when we went down; all we were trying to do was help. And I think that's about the best we can do.

Michelle Madoff:

Mr. President, I'd just like to make a

comment. I just want to say that for the constituents I represent I want to thank you not only for what you've done because you did above and beyond the call of duty. I expect no less from Sam and Lou, who I love dearly, I'm head of his fan club, but I do want you to know that you really brought honor to this City. We were in the national media. And it was not only that you helped the people there but you helped the honor of this City. Thank you.

The Chair:

I would just finally like to say that never in my whole life have I been more proud to say that I was from Pittsburgh than when I was in Charleston, South Carolina. Thank you very much.

Mr. Cohen presented

No. 61 Resolution further amending Resolution No. 442, effective June 4, 1987, as amended by Resolution No. 263, effective April 12, 1988, entitled: "Providing for a Contract or Contracts for the Rehabilitation of the Swinburne Street Bridge, providing for Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$295,000.00 from \$2,235,000.00 to \$2,530,000.00, chargeable to and payable from the Swinburne Street Bridge Trust Fund, in the Department of Engineering and Construction.

Also,

No. 62 Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991

Capital Improvement Program," by increasing a line item (EC 86-15). This amendment is necessary to provide additional funds for the additional and extra work incurred during the construction phase of the Rehabilitation of the Swinburne Street Bridge project.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 63 Resolution further amending Resolution No. 50, effective 2/3/87, as amended by Resolution No. 981, effective 12/11/87, entitled: "Providing for a Cooperation Agreement or Agreements with The Carnegie, for design and construction of the Relocation of North Shore Drive thru a portion of Stadium Parking Lot #1, and the demolition and removal of an existing section of said Drive; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania and/or the Department of Transportation; and providing for the payment of the costs thereof," by increasing the total project allocation by \$10,000.00 from \$1,250,000.00 to \$1,260,000.00, chargeable to and payable from the North Shore Drive Trust Fund.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 64 Resolution amending Section 4 (1) of Resolution No. 652, effective July 18, 1980, entitled: "Authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members."

Which was read and referred to the Committee on General Services.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 65 Resolution amending Resolution No. 786, effective October 12, 1989, entitled: "Providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing and supplying neighborhood street signs throughout the City of Pittsburgh; and providing for the payment of the cost thereof," by increasing the total allocation by \$575,000.00, from \$250,000.00 to \$825,000.00, chargeable to and payable from Code Account PW 89-14, Neighborhood Street Sign Program.

Also,

No. 66 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and installation of two (2) Silos for the Department of Public Works' Asphalt Plant, for storing asphalt that the plant is producing, at a cost not to exceed \$300,000.00,

chargeable to and payable from Asphalt Reimbursement Trust Fund (ARTF).

Which were read and referred to the Committee on Public Works.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 67 Resolution providing for the letting of a Contract or Contracts or for use existing Contracts for the furnishing and delivery of sideloading refuse containers for use in conjunction with Emco or equivalent, sideloading refuse compaction vehicles, at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account No. 1175, Purchase of Refuse Containers, Department of Environmental Services.

Which was read and referred to the Committee on General Services.

Michelle Madoff presented

No. 68 Resolution approving the hiring of an individual to serve as Council's Legal Advisor for the purpose of providing City Council with legal opinions and other legal services and advice relative to the operation of the City of Pittsburgh.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 69 Resolution providing for the issuance of a \$825.00 warrant in favor of Anna Halloran in settlement of claim for sidewalk damage by City tree roots at 324 44th Street, payable from Code Account No. 46, Judgments.

Also,

No. 70 Resolution providing for the issuance of a \$5,038.57 warrant in favor of Divine Providence Hospital in payment for treatment of individuals as a result of a chemical spill at the North Side Public Safety Complex on July 7, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 71 Resolution providing for the issuance of a \$2,077.38 warrant in favor of William J. Novak in settlement of claim for vehicle damage by an Environmental Services vehicle at 1316 Ledgeale Street on November 9, 1989, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 72 Resolution providing for the issuance of a \$5,515.99 warrant in favor of Lobel, Winthrop & Broker, Brinderson Plaza-Tower 1-Suite 1100, 19800 MacArthur Boulevard, P.O. Box 19588, Irvine, CA 92713, in payment of a monthly bill for the hiring of counsel to assist in the representation of the City of Pittsburgh in the case of John Robert Torquato, Jr., Debtor; City of Pittsburgh, Movant v. John Robert Torquato, Jr., Respondent, filed in the United States

Bankruptcy Court for the Central District of California at No. SA89-05008, payable from Code Account No. 1075, Miscellaneous Services, Department of Law.

Also,

No. 73 Resolution providing for an Agreement or Agreements with a Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 74 Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of one new Optical Mark Reader (Scanner) to the Department of Personnel and Civil Service Commission at a cost not to exceed \$35,500.00, chargeable to and payable from Code Account No. 1101-1, Equipment, Department of Personnel and Civil Service Commission.

Also,

No. 75 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1990 written, performance and promotional examinations administered by the Department of Personnel and Civil Service Commission, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 76 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 77 Resolution authorizing a warrant in the amount of \$1,553.48 in favor of John J. Buckley, Jr., 188 Richbarn Street, Pittsburgh, PA 15212, for professional services rendered to Council in the preparation of Council's 1990 Operating Budget, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, City Council. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 78 Communication from Sophie Masloff, Mayor, City of Pittsburgh, submitting an updated Table of Organization which reflects the 1990 Budget for filing in the Office of the City Clerk.

Also,

No. 79 Communication from Charles Blocksidge, Ph.D., Director of Assessments, submitting the Certified total of assessments of land and buildings for the City of Pittsburgh, applicable to the year 1990.

Also,

No. 80 Communication from George

Whitmer, Executive Director, Urban Redevelopment Authority, submitting the "Position and Salary Report" as of December 31, 1989, of the said Authority.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 81

Report of the Committee on Finance for January 17, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 20

A Resolution entitled, "Resolution providing for the issuance of a \$1,313.80 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 21

A Resolution entitled, "Resolution providing for the issuance of a \$1,025.86 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 22

A Resolution entitled, "Resolution providing for the issuance of a \$4,225.00 warrant in favor of Theresa and Stanley Szymczak in settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 23

A Resolution entitled, "Resolution providing for the issuance of a \$3,162.00 warrant in favor of The Gardens at Negley in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 24

A Resolution entitled, "Resolution providing for the issuance of a \$1,065.00 warrant in favor of Chester Kielb in settlement of a claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 25

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$15,000.00 payable to Wilbert J. Davis and Minnie L. Davis, his wife, c/o Robert A. Lebovitz, Esquire, 2018 Monongahela Avenue, Pittsburgh, PA 15218, in full settlement of in-

juries sustained in a City of Pittsburgh police wagon in Pittsburgh, Pennsylvania."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 26

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 27

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 28

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 29

A Resolution entitled, "Resolution amending Resolution No. 897, Item E, effective November 21, 1989, which authorized the sale of property in the 12th Ward, being ½ story, brick, double house located at 1331 Grotto Street, designated as Block 173 J, Lot 225, to Leroy Times for the sum of \$1,500.00."

Which was read.

Also,

Bill No. 30

A Resolution entitled, "Resolution Repealing Resolution No. 752, Item B, approved September 26, 1989, which repealed Resolution No. 382, Item G, approved May 5, 1989, and authorized the sale of property in the 12th Ward, being

a 2 Story, Alum. Hse. on a 25' x avg. 110.26' lot, located at 537 Turrett Street, designated as Block 124 P, Lot 296, to Jerald A. Smith and Beddalyn J. Odom Smith, for the sum of \$5,000.00."

Which was read.

Also,

Bill No. 31

A Resolution entitled, "Resolution Repealing Resolution No. 752, Item H, approved September 26, 1989 which repealed Res. No. 786, Item I, approved October 14, 1988, and authorized the sale of property in the 31st Ward, being a lot 50' x avg. 193.45', located at 829 Oakville Street, designated as Block 134 H, Lot 258, to Anthony Yurechko and Carol A. Yurechko, for the sum of \$750.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 82

Report of the Committee on Public Works for January 17, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 10

A Resolution entitled, "Resolution vacating Holtz Way from Crawford to Reed Streets, and also reserving the 12-Inch sewer line in the 3rd Ward of the City of Pittsburgh. The petitioners, Klett, Lieber, Rooney and Schoring, Attorneys at Law, have requested this vacation for expansion purposes. The Department of Finance recommended a fee of \$4,135.00 be charged for the vacation of the same.

Which was read.

Also,

Bill No. 11

A Resolution entitled, "Resolution vacating Tay Way from College Avenue northeastwardly 193-Feet to a point by 12-Feet and also reserving a 15-Inch sewer line in the 7th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 12

A Resolution entitled, "Resolution vacating Randall Street between Bristol Street and Grit Way in the 15th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 13

A Resolution entitled, "Resolution vacating Fierro Way from Fusion Street southwestwardly 50-Feet in the 20th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 14

A Resolution entitled, "Resolution vacating Goebel Street from Fulton Street to its easterly terminus in the 21st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 15

A Resolution entitled, "Resolution granting Raymond C. Sprow of 309 Harmar Street, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a stoop and steps on a portion of the sidewalk of 309 Harmer Street in the 6th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 16

A Resolution entitled, "Resolution granting Adolph Frediani of 1646 Rockford Avenue, his successors and assigns, the privilege and license to construct, maintain and use, at his own cost and expense, a handicapped parking space on a portion of the right-of-way of Rockford Avenue in the 19th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 83

Report of the Committee on Planning, Housing and Development for January 17, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 18

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-(4) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Leeann Associates of Pennsylvania and Mark Utley, Owners, for authorization to use the property located at 400 Roup Avenue as a parking area to serve employees and customers of Baum Boulevard Dodge, Inc. (51-H-118), 8th Ward."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on this bill.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 18, WEDNESDAY,
1/17/90)

Mr. Ferlo:

I strongly urge my colleagues to reject and deny this proposed resolution approving Conditional Use Application for the owners of Baum Boulevard Dodge. I hope that Councilmembers did take the time to read the background material that comes to us from the Planning Commission who soundly rejected the Conditional Use Application. They did this as a result of interviewing the neighborhood residents, conducting a public hearing and I think there was lengthy and appropriate discussion at the Planning Commission and while some of their concerns which are summarized in a memo to Council are somewhat boiler plate. Suffice it to say that this is a community in transition and this City Council in the last year or so working with the communities have worked to upgrade the residential quality of this community. The proposal here is to take what is a tree-lined triangular piece of property -- residential in quality which is adjacent to the rear of the Baum Boulevard Dodge and use it for a parking lot. The Planning Commission and certainly the residents were clearly opposed to this for the reasons so stated. We are not required to conduct a public hearing on this matter and it was my hope that we could dispense with the issue today.

I think we have to send an appropriate message to landowners and developers in this city and that message needs to be that if an entrepreneur and a developer or a major business owner thinks that they can circumvent the process and the situation here basically was a beautiful house that was on this property acquired by this company hoping to basically demolish this house and establish a parking lot in a residential community. The owners of this property knew full well that they were purchasing in a residential zone hoping to circumvent the process, knock the house down and at that point they would have a way of getting what they want. So I think we need to stand firm and reject that kind of an agenda and I think equally important we need to support the efforts of the community who very recently have organized a very active members of the Friendship Preservation Group and others, so for all those reasons and I'm sure many more which some Councilmembers will add, I hope that we vote no on this Conditional Use Application.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

Mr. Cohen:

I'd like to make some comments on Bill No. 18. I am voting nay on this bill because I believe that it will be bad for the neighborhood of Friendship. As we discussed earlier, this is a property which was residential and is attempted to be converted to commercial use and, in fact, the attempt has been to clearly tear down a house and put up a parking lot.

I think that there is a tenuous balance between residential and commercial which has to be maintained and this conditional use, if it were approved, would tip the balance in favor of commercial without a compelling reason. I think there's a new spirit in the neighborhood of Friendship and it's one that is spearheaded by the Friendship Preservation Group, a group of enthusiastic and energetic people who are working to protect and preserve their neighborhood.

The denial of this conditional use would help the residents in Friendship in their efforts and I would urge my colleagues to vote nay on Bill 18.

The Chair:

Even though the bill has a negative recommendation, if you are voting for the legislation, vote aye. If you are opposed, vote no.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES none

NOES 9

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 41

A Resolution entitled, "Resolution amending Resolution No. 1061, effective January 1, 1990, entitled: 'Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program', by decreasing line item HA-345, Rehabilitation and Modernization of Housing for Low and Moderate Income Families, by \$39,000.00 from (\$1,510,000.00 to \$1,471,000.00)."
---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on this bill, please.

Mr. Coyne:

Please bring my forward also.

The Chair:

Please bring my remarks forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COYNE, FERLO AND WAGNER'S COMMENTS ON BILL NO. 41, WEDNESDAY, 1/17/90)

Mr. Ferlo:

This legislation is being proposed by myself and I have talked to many colleagues on this Council and certainly many in the public have expressed their concern on a recent action by the Housing Authority Board of Directors or possibly the Executive Committee of the Housing Authority Board which I'm not fully clear on exactly who took the action, the action being specifically a one-time lump sum gift referred to as a severance pay for the former Director of the Housing Authority roughly in the amount of \$39,208.50. It is with that kind of disregard that my intent here today is to amend the capital budget. My position is that we should not reward or condone or participate in this expenditure in that it's an independent action of the Authority but there is no reason why this City Council and I think many in the public look to us to provide some oversight of the independent Housing Authority and in this respect the intent of the legislation is to reduce the CDBG allocation to the Housing Authority by roughly the same dollar figure as the proposed severance pay.

The second bill which we'll discuss later, would redirect the monies to the Hunger Trust Fund where my rhetoric was that we should feed several thousand people instead of one person. The second bill would redirect the money. I'm voting on them separately because we can debate -- assuming we want to get into this we can then talk about where the money could go and there may be other suggestions.

I've asked the Authority representatives to come here today. I do see Mr. Colbert in the audience, the Chairperson of the Housing Authority Board and I believe Mr. David Washington, legal counsel and now Acting Director of the Authority here and they are welcome to come to the table. I would like to ask them some questions Mr. Chairman if you would permit them to come to the table.

William Colbert
Chairperson
Housing Authority

David Washington
Acting Director
Housing Authority

Mr. Rhodes
Asst. General Counsel
Housing Authority

Mr. Perlo:

Mr. Colbert, could you educate Council and explain to us the actions that the Authority took regarding the severance pay? Could you explain the circumstances in which the action was taken, how it was taken and by whom?

Mr. Colbert:

As you know better than we, since the resolution that called for the ouster, for lack of a better term, of Dan Pietragallo came from City Council and initiated by Councilman Coyne, there was a lot of thought given to that as well as to the general aura surrounding the Housing Authority at that time. Of course, all the negative publicity and in fact we felt that the operation of the Authority itself could be affected by the environment, the outside environment. Not only in recognition of that but in recognition of all of the circumstances, we on the Board began a process of negotiations with the Executive Director about his prospective retirement. That culminated in a meeting on December 8th at a personnel meeting which you will learn that we are entitled to have in private as a personnel meeting of the full board. That is, all six who were on the board were present at that meeting and the action taken at that meeting was that of course the Executive Director would retire and we would consider some compensation beyond that moment partly because of the fact that he did not plan to retire at that point; he planned to retire at some distant point. There is no age retirement mandatory in the Authority and Dan (Pietragallo) became 65 I believe on January 4th. He had not planned to retire at that point but quite frankly I think if you will take a look at the public record you would find that there was no reason why we could have dismissed him at that point even though as an Executive Director and as directors do and as many other appointed people do serve, he served as an "at will" employee". It was the consensus of the Board in that private meeting to consider compensation beyond that moment for that reason. I believe then and I believe now that that was a sound business decision. It might not be a popular decision but I believed it then and I do now that it was a sound business decision and when all of you have the opportunities you soon will have to serve on public boards, you'll learn first that it's not always the most popular thing to do. But secondly you will learn that you will become privy to information that the public will know but not at that moment and it might deleterious to the interest of the Board or to the public and of course the operation of the Authority itself where the public knew everything at that moment. That's a grand design and I must say that the Sunshine Laws have served us all very well. When it comes to the diffusion of information, they have served us all very well. But as I say, if you don't know and I'm sure some of you have done this before, you will learn that everything can't be known instantly where it doesn't serve the long-term better interests of the operation that you've sworn as a board member, as a fiduciary or as a steward to the public to uphold. It was that kind of a decision.

Mr. Ferlo:

Mr. Colbert, was the retirement of the former director a voluntary retirement?

Mr. Colbert:

Yes, it was.

Mr. Ferlo:

And is there precedent or an established policy at the Authority regarding the issue of severance pay?

Mr. Colbert:

There was precedent, yes. We brought documentation of that with us. There is no policy in writing, no. If you are asking is that contained in the personnel file? No, it's not.

Mr. Ferlo:

And do you have minutes and who was present at this meeting?

Mr. Colbert:

No, there were no minutes taken.

Mr. Ferlo:

There were no minutes taken of a personnel meeting.

Mr. Colbert:

That's correct.

Mr. Ferlo:

Is that regular or highly irregular?

Mr. Colbert:

It's not irregular; there needn't be. I think you'll learn that there needn't be under law and if there are they needn't be disclosed is the interesting point.

Mr. Ferlo:

And your contention is that the personnel matters -- who was at the meeting, I'm still trying to get that?

Mr. Colbert:

I said the six board members.

Mr. Ferlo:

And staff?

Mr. Colbert:

No, no staff.

Mr. Ferlo:

Just the board members. Mr. Pietragallo was not present.

Mr. Colbert:

He was not present until I asked him to come into the room.

Mr. Ferlo:

Who made the motion?

Mr. Colbert:

I can't answer that, I do not know.

Mr. Ferlo:

You don't know who made the motion and there are no respective minutes of this particular meeting.

Mr. Colbert:

That's correct.

Mr. Ferlo:

Now your interpretation of the Sunshine Law -- for instance often times in Council alone we had a recent meeting where we discussed solely personnel changes, where we were discussing individuals' names on any substantive matter of budget matters, anything of that sort, those would have been discussions that legally would have to take place in a public session and they have to do with the city budget. What is your interpretation between the difference of the personnel matter of the so-called severance pay versus the budgetary issue or do you see no distinction?

Mr. Colbert:

I wouldn't say I don't see a distinction. For your information and as the afternoon paper would probably show you, not only was I interested in the opinion of the legalities surrounding this, interested in the opinions of our own counsels who have had many years of experience, but I also asked a major law firm in Pittsburgh for their opinion about the events and --

Mr. Ferlo:

-- this is subsequent to the publicity or prior.

Mr. Colbert:

I consulted with them prior to that.

Mr. Ferlo:

So you must have at least thought in your head that there may be some impropriety on conducting such a meeting where you would propose a severance pay.

Mr. Colbert:

I didn't think there was any impropriety but on the other hand I haven't gotten to this age to want to be charged with some violation of a state or federal law. I didn't get to that point to do that.

At our December 14th meeting following the private meeting, a perfectly legal private meeting, we accepted the retirement of Dan Pietragallo and that "spread it" on the minutes -- if you want to use the words, spread it on the public record in such a way that he in fact had retired. We accepted it as of -- ratified December 14th and accepted December 8th.

As regards to compensation, it would be sufficient public notice if we wanted to deliberately obfuscate the thing, it would be sufficient public notice to have that simply included in the budget. By the law it would be sufficient public notice. Now we're going to go beyond that and we will make it a matter of record probably by voting on it at the next meeting.

Mr. Ferlo:

So at the December 14th board meeting, was that a formal board meeting?

Mr. Colbert:

Yes, it was.

Mr. Ferlo:

Why wouldn't you normally have just ratified and entered into the record the actions of the personnel meeting at the 14th meeting?

Mr. Colbert:

Why would we not have?

Mr. Ferlo:

Yes.

Mr. Colbert:

We accepted his retirement. The compensation itself was not mentioned; you're right.

Mr. Ferlo:

So it wasn't because there was no publicity, nobody knew anything about this, it was because it just didn't happen.

Mr. Colbert:

I'm sorry.

Mr. Ferlo:

One would likely conclude that following your December 8th personnel meeting, along your line of thought, one would conclude that at the December 14th formal board meeting there would be a ratification of the actions of the personnel meeting including the lucrative severance pay.

Mr. Colbert:

There were regarding the acceptance of his retirement but again --

Mr. Ferlo:

-- it seems like you didn't take any of this concern until there was -- to use your phrase "bad publicity" --

Mr. Colbert:

-- the publicity existed prior to that and if you let me give my accounting of it, I'd like to do that.

The fact is as I said that when it appears in the budget that will be public notice, and that's all the public notice required to be given. Now I say this to you and as you will find and can learn for yourself, at no authority, whether you're talking Pittsburgh, Allegheny County, the State of Pennsylvania or the School Board for that matter I believe, I don't know, I can't attest to that, but at no time is the compensation of the executives simply put on the table for public discussion. It is a public record and you or any reporter, any citizen can get that simply by asking the question but that is never voted upon. As a matter of fact, under the law as it is in the State of Pennsylvania, the compensation for that executive is set on the signature of the Chairperson of the Authority solely; the Board really has no vote. The Chairperson if he is at all prudent will get the consensus of the Board to establish that but the Board

really has no vote on that. It's set on the signature of the Chairperson and that's all authorities right across the Commonwealth.

Mr. Ferlo:

Does the authority have an employment contract with the former director?

Mr. Colbert:

I don't believe we had except the implied contract that he worked there for 29 years.

Mr. Ferlo:

During the budget hearings in December I asked for a copy of the operating budget of the Housing Authority which was given to me in the latter part of December by Mr. Washington. Included in that budget is an indication that the Executive Director made roughly \$70,000.00. What is actually the current salary of the Director?

Mr. Colbert:

I believe and I've looked at it recently, I believe when he retires or as he retired it's \$78,417.00.

Mr. Ferlo:

In the last budget it's listed as \$70,000.00 how did that go up?

Mr. Colbert:

There was a general increase on the part of the City plus there was an increase that was granted to him by me at some point.

Mr. Ferlo:

So some time during the approved budget year by the Authority there was an \$8,000.00 plus increase.

Mr. Colbert:

As I said, you have to bear in mind that there was an increase for all city employees and at that time we consider our employees as well. The City is our comparable for compensation as well as for the timing.

Mr. Ferlo:

I'm sure most city employees would like have benefited from a better than 10 percent rate increase but it did not happen.

Mr. Colbert:

I would think that department heads did if you read your own budget.

Mr. Ferlo:

That's not the case.

Mr. Colbert:

Look at the numbers, I think you'll find it is the case and I have no quarrel with that. I come from industry and I believe, I firmly believe the way to get good people is to pay them and the way to keep them is to pay them.

Mr. Ferlo:

What is the intention of yourself and the Authority, to ratify this in a formal action? What meeting? You indicated earlier that at some point in the future you will move to enact that.

Mr. Colbert:

Yes, at a public meeting.

Mr. Ferlo:

When is that meeting?

Mr. Colbert:

The meeting is on the fourth Thursday of each month.

Mr. Ferlo:

So at the next fourth Thursday of the month --

Mr. Colbert:

-- I would assume, if that's the pleasure of the board. You must bear in mind that I as Chairman have no vote.

Mr. Ferlo:

Where are you getting the moneys to do this severance pay?

Mr. Washington:

The funds did not come out of Housing Authority's HUD operating budget, it came out of administrative fees earned by the Housing Authority for the management of properties, but the funds didn't come out of the regular HUD operating budget.

Mr. Colbert:

I would tell you this. Your comparables are housing authority directors. There's isn't a small housing authority in this area of which the director is not paid more than Dan Pietragallo was. For your information, the Housing Authority Director in the City of Miami that has fewer units than we have, many of which cannot meet the building codes in Miami, that Director is paid \$160,000.00 a year under a five year at a time contract; that's the norm.

Mr. Ferlo:

But is it the norm to give out a \$40,000.00 severance pay to somebody who voluntarily retired?

Mr. Colbert:

Most authority directors won't even take the job without that kind of guarantee up front.

Mr. Ferlo:

That would suggest to have an employment contract which you said you did not have.

Mr. Colbert:

Yes, we did not have at that point and we're in a more enlightened age and maybe next time we will. I personally wouldn't want that because as you know and as any lawyer present can tell you, a contract exists only in case you fight otherwise you are going to do what you said you would do.

Mr. Washington:

Just from this standpoint. As the Chairman indicated, it's true that Dan voluntarily retired and voluntarily resigned his position but I think Mr. Colbert was careful to point out that there were extensive discussions that went on for a prolonged period of time that culminated in his voluntary act of taking retirement at that time. So it was not as though he just abruptly came in and tendered his resignation or decided to retire.

The other thing and I think looking from a more positive standpoint about the situation towards the future, there has been a very gray area in Pittsburgh local government over this whole question of severance pay. I have had extensive discussions and I won't go into which lawyers I talked with and that kind of thing but I had extensive discussions during that entire period when the discussions were going on about Dan retiring with attorneys at HUD and in Pittsburgh city government about the whole question of Mr. Pietragallo's retirement and under what conditions he could be compensated.

Mr. Ferlo:

And this is perfectly acceptable to HUD. Are you not required to in any way file an indication to HUD as to how you're utilizing these dollars which you have to admit are generated as a result of federal support.

Mr. Washington:

Very definitely. As Mr. Colbert indicated, the salaries including the severance pay granted to Mr. Pietragallo will be shown in the budget in the auditing of the Housing Authority's fiscal operations.

Mr. Ferlo:

How much money are we talking about? What kinds of dollars do you generate as a result of the administration fees and how do you normally utilize those in terms of the operation of the Authority? I'm trying to understand the Board's priorities and where those dollars come from and what other ways you utilize those dollars.

Mr. Washington:

Basically the administrative fees are used to supplement activities of the Authority. For example, if there is a construction project where the HUD funding just is not totally adequate to do the kind of thing we want or if HUD for example on a particular project says they will approve it but don't want garages in these houses, then the administrative fees could be utilized to fund that portion of the construction to provide garages.

Mr. Ferlo:

I will close but maybe my colleagues have some additional questions.

Out of all the other important priorities confronting the Authority, I've talked to you at length about the vacancy rate, about units which are unoccupied, about the waiting lists, I'm trying to fathom and comprehend the priorities of the Authority Board as it relates to what anyone would amount would have to admit is a lucrative severance pay present to the former Director at a time when there are so many other programmatic needs confronting the Authority. Is this the best utilization of these dollars Mr. Colbert?

Mr. Colbert:

Is this the best utilization of the dollars? Well, I think I have sat over there for about 11 years and Dan has been there maybe 12. The regular operating budget of the Housing Authority is about \$28 million. In a normal year we get to spent \$40,000.00 and as you might have read or heard in my answers to

questions by the media, the fact is that the 11 years that I have been there we have brought in over one half billion dollars and the other moneys have been used to improve, build and buy housing in each of your districts. Every district here has been affected by the money we've brought in and as I said before, that didn't have to come to Pittsburgh. As you will learn, that's a highly-competitive thing as URA is competitive with every other community in the United States for funds. We must plan, propose, develop, whatever, whether it's the purchase of Section 8 housing, whatever it is and then compete with other communities right across the country for those funds. We have done that simply more successfully than any community in the United States and I'm sitting looking at a director who has done that. Now you must know and Dan would be the first to tell you this, he and I have not been and are not personal friends in that regard; we are not. I nevertheless was able to assess his abilities, what he has done for this community based upon what he did and what he brought in and that did not have to come here. Over \$200 million that didn't have to come here. If it were my money, I would have given it to him just based on that alone. As I said, when you put that into the context of everything that was going on, it was a sound business decision that I would make again, and I don't know who made the motion but I have to tell you that if there hadn't been one I would have said I would entertain one.

Mr. Ferlo:

I find that incomprehensible that no one knew who made a motion. I just recall the bill a year and one-half ago turned down and came back up again.

Mr. Colbert:

Mr. Ferlo, I'll say this. Once you assume a seat at the Housing Authority Board, you will have a different perspective in six or eight months and I'm not disparaging the state of your intelligence, I'm disparaging the state of your education at this moment, you'll have a different perspective.

Mr. Ferlo:

I do think it's fair to suggest that the individual, the former director, was very well paid as the director, in fact he probably received compensation in greater amount than any of the other authorities.

Mr. Colbert:

That's not true.

Mr. Ferlo:

I'm talking about the City of Pittsburgh.

I might mention that I noticed I guess in the Post-Gazette this morning and I was not aware of this, that apparently the City of Pittsburgh government itself has a policy under which severance pay up to one month can be granted to departing directors and that policy was just adopted a year ago. I will review that because as has been indicated, our personnel practices are to be comparable to be that of the City of Pittsburgh and with that kind of a severance pay policy in existence, that's something that we can review and recommend to our board for consideration as having a severance pay policy in the future.

Mr. Ferlo:

So that would be a little over \$6,000.00. Is it unlikely that the Board would reconsider it's actions?

Mr. Colbert:

Is it unlikely? As I said to you before --

Mr. Ferlo:

-- essentially your intention would be give him the 40 or \$39,208.00 and then maybe you'll adopt something in the future on the board.

Mr. Colbert:

I would say but that is the will of the directorship. I don't have a vote unless there is a tie or unless I can vote to create one. That's not a cop-out. It is my intention to do that. As I have said very clearly, had there not been such a emotion at that private meeting, I would have called for one and you need to know that. I think there are times you will find, as we all will learn, when you simply step up and say "yes, I did it", I would have called for that.

Mr. Ferlo:

I have no other questions.

Mr. Coyne:

Mr. Colbert, I have a couple of questions. I understand and I agree with your position that sometimes operational decisions have to be kept private in the public's interest until a program would develop because of different factors which may be involved. However, don't you see a difference between operational decisions being kept public and a monetary give-away which is decided in private?

Mr. Colbert:

Of course I see a difference between those two being of at least average intelligence and I don't mean to be insulting to

Mr. Colbert:

As I said to Councilwoman Madoff, I respect your views. You are quite young and that again is not disparaging but I would suggest that you take a hard look at what lump sum pensions are.

Mr. Coyne:

Sir, that wasn't the question. I am a member of the Public Auditorium Authority and there is no way in the world, no way that I would vote for a severance pay for our director if there was none written down. There is no way in the world that I could do that in good conscience knowing the responsibilities that I have. So I may be quite young at 35 but my conscience, I know what's right and wrong and this is not right.

Mr. Colbert:

Thank you.

Mr. Wagner:

Gentlemen, first off I'd like to start with the premise that Mr. Colbert, Mr. Washington, Mr. Rhodes, the Mayor and all nine Councilmembers, all of us have a great concern for public housing and obviously all of you know more about it and have been intimately involved in it for a number of years. What we're talking about today is two actions. Is this Council going to vote on a bill to take \$39,000.00 away from public housing because of a proposed action that all of you will take at your next board meeting, to take an additional \$39,000.00 away from public housing. And the way I look at it, public housing and the people that live in public housing in the City of Pittsburgh have at stake here a potential loss of \$78,000.00 because of two independent actions that can be taken by this Council and by the Board of the Housing Authority. More so than the \$78,000.00, what's at stake here is public opinion and a public confidence level I think of city government in general, this Council, the Mayor and the Housing Authority. True, Council only allocates \$1.5 million out of your \$40 million a year but the reason why the Housing Authority exists is because of a mayoral suggestion in a formal Councilmatic action.

Now what we really need I think is a cooperative working spirit that exists based on some policies and procedures.

The existing policy today in city government is, based on what I'm hearing from everyone is a severance pay of one month for anyone and everyone. There is no reason why that policy should be deviated and if it is deviated, I see potentially the people in public housing being the loser both from your action and our action.

I guess what I'm saying is, I'm requesting from all of you and Mr. Colbert you as the Chairman of the Board to just please make a recommendation that that policy be implemented within

you but speaking English passively well, of course I see a distinction between those two, but I will, and that's all I can say for the moment that there are sound business reasons for doing what we did.

Mr. Coyne:

You can't elaborate.

Mr. Colbert:

I can't at this moment. You will know publicly within a few months, sound business reasons. I'm very pleased to know by the way that Mr. Ferlo will have personal knowledge of that in a very short time.

Mr. Coyne:

So am I, I'm very pleased.

Mr. Coyne:

Also touching on a point of Mr. Pietragallo's salary which you say is underpaid in comparison to --

Mr. Colbert:

-- even small ones.

Mr. Coyne:

-- if you would give me the courtesy to finish.

Mr. Colbert:

Sure, sorry.

Mr. Coyne:

I agree and I think we've seen publicly that elected officials and other officials in the City of Pittsburgh are paid less than our counterparts throughout the entire nation. My question is, don't we find it unusual that Mr. Pietragallo is making more money than the Mayor of this city?

Mr. Colbert:

The Executive Director of the Housing Authority always has.

Mr. Coyne:

You see no problem with that?

Mr. Colbert:

I have no problem at all with that and I don't think the Mayor would have a problem with that.

Mr. Coyne:

I don't know what the Mayor thinks, I'm just asking you a question.

Mr. Colbert:

No, they always have.

Mr. Coyne:

Also, I can understand personnel meetings being in private. I like Mr. Ferlo am puzzled that there are no minutes of that, especially when you had to consider the sensitivity of the issue at hand. I mean, an average personnel meeting where you're going and discussing overall personnel, I could see that no one would bother to bring someone to take the minutes, however, when viewed with the sensitivity that this issue was bringing on in the public's interest, I find it highly unusual that no one would have thought that maybe we need to take these minutes in writing and have them for a back up in case it's needed. But I do question whether this is the best utilization of the money which is acquired through the administration of homes by the Housing Authority. I think that maybe this money could be put back in for more home improvements, for making a lot of people who live in housing communities a little bit better and I guess that's just a question of our perceptions. I think it would be better spent in one area and you may think it's better to be spent in another.

However, when we get to the basic point that there was no severance agreement written, Mr. Pietragallo had no reason to believe he would receive any severance pay because it hadn't been written and upon his voluntary retirement I find it very, very disheartening that a decision could be made by Authority board members which arbitrarily took nearly \$40,000.00 of taxpayers' money and gave it to Mr. Pietragallo who was already making \$78,400.00 a year, who's going to receive a pension of \$256,000.00 in one lump sum. Now I have no problems with those numbers but it's seems to be very ironic and a very sad state of affairs that we also would give Mr. Pietragallo an additional nearly \$40,000.00 and I will be voting in support of the next one which I think even though it's not for discussion right now is going to put something back into the housing community and I just found it very disturbing the actions that you have taken so far.

your authority as it is within city government for the case involving Mr. Pietragallo and for anyone else because if we don't follow that policy, potentially we set a dangerous precedent; all of you set it and this Council sets it if this resolution passes.

I'm not in favor of this resolution because it takes money away from all of you quite frankly. To do your job and you are serving the residents of this city in doing a job, and doing a fine job but what we are letting getting intertwined here is an issue that I don't think should be an issue so I'm just publicly stating on the record to all of you to please at your next board meeting recommend one month's severance pay of \$6500.00 and grant that \$6500.00 and let's keep a cooperative working relationship with this Council and with what the Mayor has suggested in terms of what a severance pay should be and I think if we do that, if this Council defeats this resolution as suggested, if all of you make a commitment to go with a policy that's in existence, I think we have an excellent working relationship and more importantly the people of public housing are being properly served by keeping moneys there that all of you need to operate and in addition to that a public confidence level that is very important today, probably more important than ever because of all the public attention given to this issue. So that is my request to all of you and I am hoping and I believe that's the will of this Council. If all of you were to say that you would make that recommendation and obviously the Mayor has done that also, I see this resolution in front of us failing. I'm asking that as a question.

Mr. Colbert:

Could you hold one moment?

(DISCUSSION OFF THE RECORD)

Mr. Colbert:

Dave (Washington) just said to me exactly what I was going to say to you Councilman Wagner. I deeply respect your views and I think that they strike a balance that everyone here needs to hear and also the statement on the part of Councilman Cohen that we ought to really shorn of the personalities make this decision. Let's forget who here liked or didn't like Dan Pietragallo, let's think about the people in the communities. And I'd like to stay with that position. I think the difficulty that we of the Board are faced with at the moment and lawyers present would recognize that in an instant is that you are asking us to do something retrospectively rather than prospectively. I think since HUD requires us to have comparables, as I said before, that if the City's severance arrangement is as it is and as a comparable, we're almost obliged to adopt it.

Michelle Madoff:

You said that ten minutes ago.

Mr. Colbert:

We're almost obliged to adopt it but you're asking me to do that retrospectively which legally is a wholly different matter and I won't go into that beyond the point but I think that some of the attorneys present would know very well what I'm saying. If you ask me to do that retrospectively, that's a very different matter.

Mr. Wagner:

I'm not asking you to do that. That policy has been in existence and if the Housing Authority has not been aware of it then I don't know how you have dealt with that issue in the past. But you by granting a severance pay above and beyond that policy that is and has been in existence are in and of yourselves setting a dangerous precedent within your authority which should not be set and I am simply asking you for the sake of \$31,000.00, the difference by which one month versus \$39,000.00, we should not be here arguing on this. Mr. Pietragallo has been adequately compensated in serving the Authority and has been suggested the number that he is being granted as a retirement lump sum is adequate, let's not leave the people of public housing hostage because of \$31,000.00. All of you could make that decision and I'm formally, publicly requesting you do that at your next board meeting rather than \$39,000.00, it be \$6,500.00. Thank you.

Mr. Ferlo:

Just to summarize, the real issue here and again let's be clear, let's separate our feelings good, bad or indifferent to the former Executive Director; that's really not the issue before us. It's been admitted and it's all clear to us that that was a voluntary retirement, so why this issue of a severance pay is even being proposed is beyond my understanding. The issue really before this legislative body City Council is one of public confidence, it's one of public trust, it's one of accountability and it's one of checks and balances and what many people in this city and certainly even our own mayor, Mayor Masloff is concerned about the appearance of impropriety as it relates to the granting of a lump sum gift to the previous Executive Director. The manner in which it was done and the merits of the amount of money. We're talking about an authority that has utilized dollars as a result of management fees collected from provision of Section 8 units in the Northside community. Moneys within the Authority that could certainly better be used for any number of capital projects, any number of social service kinds of problems. Nowhere else are problems more acute: hunger, homelessness, evictions, infant mortality, you name it, nowhere are the problems more acute than the public housing communities which even one colleague has referred to

continually as projects, and it's just an indication that an authority that has worked for so long to build communities, the perception real or otherwise is still that we have housing projects in the City of Pittsburgh and it speaks a lot about the quality of life in those communities. So if anybody should bear the burden on how these dollars are being utilized unwisely, it should be the Authority Board and I think what the public is requesting and my intent of the legislation today is to set the record straight on what those priorities should be. It would be very easy for us in approving this legislation and approving the re-direction of the money to the Hunger Trust Fund, it was my hope that we vote for both and that we encourage the Hunger Trust Fund to be utilized by the various food pantries that exist in the public housing community alone and in supporting this I think we would be making the correct kind of statement.

If the Authority Board reconsiders their action over the next couple of weeks, it would be easy for this Council having approved the bills today to reconsider and repeal them. Put the onus of the responsibility on Mr. Colbert and the Authority representatives.

Mr. Colbert:

If I can have one word? Curiously enough for the benefit of any and all here whether you believe it or not, if you put this very issue to the residents of the communities they would vote for the severance as you call it. The residents of the communities would --

Mr. Ferlo:

-- Mr. Colbert, the residents in Garfield would vote to fix the elevator which hasn't worked in the last three months, that's what they would use the money for.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Ferlo	

AYES 5 NOES 4

VOTING NO:

Mr. Darkins	Mr. Ricciardi
Mr. Millions	Mr. Wagner
(Pres't)	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 42

A Resolution entitled, "Resolution amending Resolution No. 1061, effective January 1, 1990, entitled: 'Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program', by increasing line item CP-468, Hunger Services Pittsburgh Community Services by \$39,000.00 from (\$150,000.00 to \$189,000.00)." ---**(SPONSORED BY MR. FERLO)**

Which was read.

Mr. Ferlo:

I would like my remarks brought forward for the Record.

The Chair:

I would also like my remarks brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NO. 42,
WEDNESDAY, 1/17/90)

Mr. Ferlo:

Again, this bill would utilize the dollars by adding to the \$150,000.00 that we committed last year to the Hunger Trust Fund. The Hunger Trust Fund being the City's anti-poverty agency operating out of the Hill House Independent Community Services Board. The moneys go to food pantries that operate in the public housing communities and other low-income communities around the city.

It was very clear that even in allocating the \$150,000.00 that we did not fulfill the respective need that is there. We still have a situation where food pantries are turned away and again it's supportive of the previous resolution which we just affirmed.

Mr. Chairman, I would suggest that we vote in the affirmative on this bill and then if we would like to we can hold both bills on Tuesday for final action allowing the Authority Board to do what I don't think they're going to do anyway. Mr. Wagner wants one thing and the Authority Board is not going to rescind their action to give Mr. Pietragallo the \$40,000.00. I would urge us to vote in the affirmative on this bill and if need be we can hold both bills on Tuesday one week to allow the Housing Authority to take whatever action they probably won't take.

I obviously support the Resolution initially. Michelle's amendment was intended to try to deal with the issue that I don't think it's going to deal with anyways, the concern by Dr. Milliones and others that we are holding one group hostage over the other.

I think Reverend Darkins makes a good point and that is while there are some food pantries that operate in the public housing community, it is also the case that there are many community-based food pantries that provide services to residents of the public housing community. He mentions one but it is often times the case that you have a community food pantry and it provides services to residents within, especially where they are adjacent nearby to a public housing community so I think again we're confusing the message here and the intent with the issue of who exactly would benefit in terms of the food pantry. I don't see the dichotomy that has really been suggested.

Mr. Wagner:

I know this may be out of order in a sense and if so please rule me but in regard to this whole issue I'm requesting from the City Clerk that a resolution be drawn up that we can vote on formally on Monday requesting that the Housing Authority grant the severance pay as to the policy that exists in the City of

Pittsburgh so that this Council can formally vote on that at our next Legislative Meeting on Tuesday.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Cohen:

Mr. President, I will be voting in favor of these resolutions, but I do not find this to be an easy vote at all. The last thing I want to do is to take any money away from the tenants of the public housing community, even such a relatively small amount. But I think both the merits and the process by which this action was taken undercuts the public trust and I feel that I have no other choice.

Let's first look at the merits of the decision. The Housing Authority Board chose to give as severance pay \$39,000 to its retiring director. This is six times the standard set for the City of Pittsburgh employees for severance pay and, in fact, it's not severance pay at all because, as we discussed at last Wednesday's meeting, it did not involve a termination. Moreover, it was given to a director who is already receiving \$256,000 as a lump sum pension payment. I have no problem with that payment or that amount, but it is a great deal of money. Also, it is going to a director under whose reign I believe the public housing communities have made little progress towards home-ownership, integration into the community and the provision of social services that are essential to bringing the Public Housing Authority into modern times. I think that we have to provide young people born into public housing communities with hope.

My decision has nothing to do with my view of Mr. Pietragallo. It has everything to do with my view of the public trust that has been placed in the Housing Authority which I think has been undercut here.

Let me briefly look at the process by which this decision was made. It was taken at a private session where no minutes were kept and the action itself was kept secret. The Housing Authority Board, and particularly its Chairman, Mr. Colbert, claims that this was an executive

session and that that was an exception involving the employment of a public officer. Even if this were true, and I think it is certainly open to dispute as to whether this was a decision involving personnel or whether it was a budgetary decision, Section 278(c) of the Sunshine Act makes it clear that the vote itself must still be taken at a public meeting. This was not done.

When asked what the compelling reasons were for this extraordinary action, Mr. Colbert, last Wednesday, said that it was a sound business decision. I think, Mr. President, on the merits and the process by which the decision was made, this decision was not sound and that it eroded the confidence which the citizens of Pittsburgh have in the Public Housing Authority. Should the Housing Authority Board reverse its decision at its Thursday meeting, then I would happily reverse my vote here.

In the short run, yes, we are taking money from the Housing Authority Budget, but, first, this money, I think, is going to a very worthy cause by feeding the hungry. Second, Council has no other means by which it can send a message to the authorities, and in this case the Housing Authority, and I am convinced that in the long run it will make the Housing Authority more accountable and more responsible to the people of Pittsburgh, and that's why I am voting yes on both of these motions.

Michelle Madoff:

Mr. Chairman, I'd like to make a statement with your permission with reference to this bill and then ask that the bill be held, and I want to explain why.

I think that everybody on this Council is united, I believe, I could be wrong, on the fact that what has transpired is wrong, the way it was done. The fact that even if it was deserved, as some people agree it was deserved, it should not

have been done surreptitiously. Each one of us could say, "This is why this is a wrong action to take."

I had asked at the previous meeting that this bill be held so that Mr. Colbert, the Chairman of the Board, could poll all the members before today and let us know if, indeed, they were going to rescind the six month gift. And I kid-
dingly, tongue in cheek, suggested that if they wanted to give a gift they could all chip in \$5200 apiece. But I think there's a message there. For instance, Mr. Colbert stated that they have tied their actions to that of the City actions which would now make it rightful to give him perhaps one month, lower the six month gift to a one-month gift, that we would then not have the need to engage in what I see is confrontational politics.

This Council, and I congratulate all of us, is really getting along well. We're into our second month, we're getting along well with the Administration. We're not fighting. When we disagree, we disagree respectfully. Boy, it's a new day for me. Mr. Wagner, I must thank you, you treat me with respect and I treat you with respect. If I'm attacked, I fight back. And that has not been necessary.

The Mayor is going to veto the bill; she has already stated that. That means we're not going to win. There are five votes. If we're going to lose, and we've already sent a message, what are we going to gain? Why don't we do this in a productive manner? Why don't we hold it a week or two weeks? I'm only suggesting this; let's not have closed minds. And if, indeed, as I believe the Mayor has already stated that she is opposed to the six month gift and has asked that it be rescinded, why don't we just say I'm going to vote, even though you're going to veto and we're going to lose anyway, and we say, okay, let's give you a chance to act in good faith and see if, indeed, Mr. Colbert will since he hasn't

polled them and there's a meeting, I believe, this week, give it two weeks and maybe this action won't be necessary. If it is, we can still decide if we want to make another statement or send another message.

I don't think we're gaining anything and I respectfully ask my colleagues to hold this because I think it can be resolved in a proper manner. I make that in the form of a motion if it's appropriate to do that at this time but I don't think so because we have one on the floor. Is that right? We'd have to rescind the motion so I could make one. Can I move to hold?

Mr. Perry:

Yes.

Michelle Madoff:

I move to recommit.

Mr. Cohen:

I'll second it for the purpose of discussion.

Michelle Madoff:

I have just stated my case; I don't think I need to repeat it. Either we want to send a message for the sake of sending a message, which I think has been sent pretty loud and clear, and I still feel as we all do, most of us who voted to take this action. I believe that we are not going to gain anything.

There's a message that went out to the Housing Authority. They need us. They need to work with us and we need to work with them. And if they don't rescind that gift, what's going to happen is there's going to be bad vibes between this Council and we're not going to be as lenient in our dealings with the Housing Author-

ity and, subsequently, I believe they're going to rescind this. And I hope somebody there on that Board is listening because I think they're creating an unnecessary schism with this Council that is not needed.

I respectfully ask my colleagues, we've made our statement, we're going to lose, the Mayor is going to veto, let's hold it and let's see if, indeed, Mr. Colbert and the Board, and I believe they will rescind that gift, and then there will be no need to take this action.

Mr. Coyne:

Mr. Chairman, I believe that if Mr. Colbert and the Board of the Housing Authority had any intention of rescinding the amount of money they have awarded to Mr. Pietragallo, they would have done so by now. It has been five days since we had Mr. Colbert in these Chambers to discuss the issue and we have no indication to this point that they're going to change their mind. I see no reason to believe they're going to change their mind.

I think that it's not relevant as to what the Mayor stated her position is. The Mayor is an independent branch of local government and she can say whatever she wants. If she publicly wants to take the stand that it's wrong and yet will go ahead and veto on the basis that we are hurting the individuals who live in housing communities, I would like to say for the Record that at least City Council is taking the money that we're rescinding from the Housing Authority and putting it back out to the general public, whereas the Housing Authority is taking money which could be put to a better use in the Housing Authority and putting it into an individual's pocket. I think there's a big, big difference between the actions that this Council is taking and the actions that the Authority Board is taking and I see no reason to hold this legislation up.

Mr. Ferlo:

Mr. Chairman, first of all, I'd like to thank Mr. Cohen for his succinct and articulate explanation as to the intent of why this legislation was needed in the first place.

On the motion to recommit, I think it would be inappropriate at this time. No one can count better than Mr. Colbert and it's very clear that the house is divided, that the majority of Councilmembers want to support the legislation and there are at least four members who do not support the legislation for a variety of different reasons. So really, unfortunately, there's no point in recommitting the legislation.

It was my hope right from the beginning, and let's put the onus of responsibility on the right shoulders, and those shoulders are the shoulders of the Housing Authority Board and Mr. Colbert. They are the ones who started the problem in the first place and the problem is articulated, it is a one-time gift of \$39,208.50, and also the manner in which the appropriation was done in violation of the Sunshine Law.

As a priority, they are the ones as the Housing Authority Board mandated to provide services to those most in need in this City of Pittsburgh as it relates to housing. They are the ones who, as a priority, said, "We would rather spend \$40,000 to feed one individual, Mr. Pietragallo, than to put that money into any number of priorities confronting that Housing Authority and the communities in which it is mandated to serve." If anybody can explain to me the logic of feeding one person as opposed to using dollars which are very precious to benefit and help feed, help clothe, help provide housing, renovations, rehabilitation, what have you, large numbers of people, then I am at a loss to understand that.

So, the onus of responsibility is on the

shoulders of the Housing Authority Board. They are the ones who said, "We'll take close to 40 grand. Instead of rehabbing homes in Manchester, we're going to use funds to feed Mr. Pietragallo with a one-time gift." That is inappropriate.

It was my hope that a majority of Council would stand up, not only the five, but the six, unfortunately, given the Mayor's pronouncements. I would be willing to recommit the bill if one of the other members of Council were willing to indicate that they would vote in the affirmative. And then I would move to hold the bill to see if, indeed, the Housing Authority Board this Thursday morning at 10:00 would act to rescind the resolution which they initiated. I don't know that that's going to happen. If one of the other members would like to speak to that, that would be great. If one of the other members would like to vote in the affirmative, indicate so now and let's hold the bill and let's see what the Housing Authority Board of Directors will do based on the public pressure, based on the public pressure from Mayor Masloff, based on the public pressure from this legislative body. I would be in favor of that. But, unless one of the other members indicates their support for participating in this issue, there would be no reason and no logic to recommit the bill.

Mr. Millions:

I agree with you, Mr. Ferlo. I'm against recommitment. However, I was hoping that you would come over to the right side. I don't intend to change my vote.

If, in fact, the Housing Authority Board is the culprit, as you, perhaps, indicated they are, then perhaps we ought to think of a way to punish the Housing Authority Board as opposed to its residents. This action with the residents of the public housing community has nothing to do with Mr. Pietragallo getting the \$39,000 that

he's getting, and I would agree with you that it's a Board decision. But I am reminded of the situation where a youngster is reprimanded by his parents and becomes enraged and goes and kicks his little sister. The little sister had nothing to do with it.

I think this is a bad precedent. I think it is, as I indicated last week, pitting one part of the poor community in Pittsburgh against another section of the poor community in Pittsburgh, and I am absolutely opposed to that in any form or condition. I will vote that this bill be defeated, absolutely.

The Chair:

Let me remind Council, we're still voting on an amendment to recommit and if we want to talk about the bill in total we can do that after the recommitment motion is either passed or - - Actually, if it is passed, we will not. If it doesn't pass, we will.

Michelle Madoff:

Mr. Chairman, we're all pretty bright and it doesn't look like recommitment is going to happen. I'd like to rescind my suggestion of recommitment and come up with another suggestion, another motion. May I do that?

The Chair:

If you are rescinding it, we need the second to be rescinded also. Mr. Cohen's second.

Mr. Cohen:

I was prepared to speak to the recommitment motion. Things are moving a little too fast here.

Let me just speak to that very briefly, and that is, I very much respect the spirit in

which the recommittal motion was made by Councilwoman Madoff, and that is the spirit of cooperation. I think we need to separate what this vote is from what it isn't. It is a vote with respect to the Housing Authority and, under the City Charter, we really have no other means by which we can send a message. I agree with Councilman Milliones that --

The Chair:

Mr. Cohen, are you going to rescind your second?

Mr. Cohen:

I never seconded it in the first place.

The Chair:

Yes, you did.

Mr. Cohen:

That's true. I seconded it for the purpose of discussion.

The Chair:

I have no problem with you talking on the bill, but I'd like to clear up this motion that has been put on the floor.

Mr. Cohen:

I would like to rescind my second and then discuss this bill.

The Chair:

Okay. That motion is now no longer being entertained. Mr. Cohen, you have the floor in regard to the bills.

Mr. Cohen:

Thank you. This is not a vote to act in any manner that is not cooperative with the Housing Authority. I want to act, and I believe this body can and will act in a cooperative manner with the Housing Authority and with each other. I agree with Councilwoman Madoff that we have, in the last month, City Council has really worked together and when we disagreed, we disagreed in an honest and respectful way.

I think we can do that in the same way with the Housing Authority. If we disagree with this action, we disagree with it in an honest and respectful way. And it is not, I don't think, a signal that we weren't going to be acting cooperatively with the Housing Authority. We can do that.

And under the City Charter, Councilman Milliones, I wish there were another way by which City Council could send a message to the Housing Authority, but there really isn't. That's why I think we should vote for this motion now and if the Housing Authority Board changes its mind, then we can come back and rescind our action as well.

Mr. Darkins:

Mr. President, I just want to say that I'm concerned with what Mr. Ferlo is saying about this taking care of hundreds of people, the Hunger Service Pittsburgh Community Service. Since last week when we were here, I know of 27 referrals that have come from various food banks to us to feed people. And I'm just wondering, who are these hungry people he said they're going to feed with this money? I'm concerned about that.

Mr. Ferlo:

In response to Reverend Darkins' con-

cern and comments, this is the second time he has made reference to the fact that he volunteers his time and expertise in the administration of a food bank run out of his church, and for that I certainly applaud him. I would hope that not only this food bank but any others that for whatever reason have not applied or partaken in the application process for the City's anti-poverty agency, the Pittsburgh Community Services, please do so and maybe the Clerk can forward information from this agency on their grant application process.

On the issue of the merits of the legislation, I'm very concerned about the comments and appreciate the comments made by Dr. Milliones and I think it's a very crucial part of this debate because certainly nothing that I would ever want to do would want to pit one group of individuals against the other.

But I think it's important that we again focus in on where the burden is and whose responsibility it is to focus the debate. Again, I point to the actions of the Housing Authority Board. I would urge from an advocacy point of view that residents within the public housing community articulate their opposition initially to the Housing Authority Board of Directors that would take revenues generated as a result of managing Section 8 properties in the North Side for the expenditure that has been discussed, the \$39,000 plus one-time gift to Mr. Pietragallo. And I think if we keep that in its proper perspective, I think we would have to agree that Council's actions are appropriate. We are the only body, really, that can provide the checks and balances that are needed at this time and really demanded by the public as it relates to the performance and the prerogatives of this independent authority that we unfortunately have very limited ability to influence.

I rest my case.

Mr. Milliones:

Mr. Ferlo, I would gather that things are going to be better at the Housing Authority since you're going to be on that Board now.

Mr. Ferlo:

Hopefully.

Michelle Madoff:

Mr. President and Members of Council, again I'm going to try. It's obvious, as Dr. Milliones has stated, that the make-up of the Board cannot easily be changed and perhaps we ought to put the blame where it belongs. But in the absence of an opportunity or method of doing that, I agree a message has to be sent.

I disagree, respectfully, with my colleague, Mr. Cohen, when he says that that doesn't mean we're sending a message that we're not going to do good things with the Housing Authority in the future because if they pass this, and indeed Mr. Pietragallo does get the money, I think there's going to be a feeling among the five of us at least that when budget time comes around, needs of the Housing Authority, we're going to look awful close. And when it's a question of one way or the other, it seems to me that we're not going to be cooperating. There may not be the spirit of cooperation that there should be with the Housing Authority.

And so I'd like to make another suggestion. Even though the bill is going to be vetoed, and we're going to lose it because we only have five votes, why don't we offer a friendly amendment to your bill, Mr. Ferlo, that we state clearly that should the Board not make this gift, that we will immediately move to reinstate the dollars back to the Housing Authority and not to a food bank.

What that does is send a message to the Housing Board, to Mr. Bill Colbert, that says two things: One, why do you want to have an antagonistic, an on-going feeling of bad faith, unhappy relationship with this Council that has to vote on the budget? He understands; he's a very bright man and I've known him for a very long time. Secondly, if the Mayor has already stated that she doesn't approve of this gift, I think the message has gone back. I seem to get a sense, even though we haven't had an answer. Frankly I haven't had a chance to call Mr. Colbert and perhaps he feels he ought to go the procedure waiting for the Board.

I think we need to send a message that if the Board doesn't vote for this, we're not going to take action, a negative action. So, I'd like to put an amendment in to say should the Board not appropriate the \$39,000, go from six months to one month, we will move immediately to rescind this piece of legislation. Would you object to that, Mr. Ferlo?

The Chair:

The amendment is out of order because it's not in writing.

Michelle Madoff:

I had a motion before that wasn't in writing.

The Chair:

That motion was to recommit.

Michelle Madoff:

I'm sorry. But if the sponsor of the bill agrees that it would solve the problem, I think it might be an appropriate floor amendment. We were saying we're going to do it anyway, let's make it official.

Mr. Regan:

Mr. Wagner, I not only think we're going to send a message, we're going to send a message loud and clear that we represent the poor people, that you just can't do what you want with the taxpayers' money. I think it was an out and out gift and I don't think we should go along with it.

I have to say that I commend Mr. Ferlo for giving the money to the hungry. We're talking about people in public housing who at least have a house. We're talking about feeding people who don't have a house. And we're also saying that if they have a meeting and only give them \$6,000, then we will be glad to rescind that motion and give the money to the Housing Authority. I don't think that we could be any more fair. We're not trying to take money off the poor people. We're trying to save money for the poor people down the road and this is the only way that we can do it, by our vote and by our lobbying in Council.

I also have to say that there were six people in the room and for the Director to tell us that he doesn't know who made the motion, it's tough for me to believe. I'm sure it could happen but I'm saying that we're not only sending a message, we're sending a message loud and clear.

I would go along with any motion that is made to reconsider and give the money back to the Housing Authority. But if we've done nothing more in Council in the very short period of time, we're sending a message loud and clear that you can't do what you want with the taxpayers' money and we represent the poor of the City of Pittsburgh.

Mr. Ricciardi:

Mr. President, I wholeheartedly agree with my colleague, Dr. Milliones. I believe that

this bill will pit the hungry against the homeless.

I also believe, and I disagree with my colleagues, I don't see a relationship between decreasing the funds to the Housing Authority and the six month payment to the past Executive Director of the Housing Authority. I see no relationship there.

Also, the last Council made a commitment of \$1,510,000 and I believe that it's our responsibility, or my responsibility, to live up to their commitment.

I believe it's important that we send a message, but the right type of message and not the wrong message. I believe that this Council will be sending a message to the Housing Authority when we confirm Mr. Ferlo's appointment to that Board. Mr. Ferlo has been critical of the Board. He has followed through with it for the past year, and I believe that's the message that we could be sending. Thank you.

The Chair:

I want everyone to know clearly that I'm voting no on both bills. I agree with Mr. Milliones, what he said earlier. This is a negative response that we are sending and it is a bad precedent. We are pitting the people in public housing against the people that are hungry.

The most important thing I want to say is that two wrongs do not make a right. We all agree that there was a wrong within the board at the Housing Authority. They took \$39,000 away and gave it to Mr. Pietragallo and now we are doing the same thing. Two wrongs do not make a right.

Rather than us sending a negative message, I think we should be pro-active and send another message and after these resolutions are taken care of, whatever happens with them, I

would entertain a motion on the floor from any member of Council that we send a message to the Housing Authority Board that we think Mr. Pietragallo and his severance pay should follow existing City policy and should be one month severance pay, equal to the severance pay of any other City employee. I believe in passing a floor motion of that type at the end of this meeting we can, in a unanimous way, send a solid message to the Housing Authority Board prior to them voting on that this Thursday.

Mr. Milliones:

Call the question, Mr. President.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Ferlo	

AYES 5

NOES 4

VOTING NO:

Mr. Darkins	Mr. Ricciardi
Mr. Milliones	Mr. Wagner

(Pres't)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I would like to entertain a floor motion that we send a message to the Housing Authority that the severance pay for Mr. Pietragallo be equal to one month's severance pay which is existing City policy.

Mr. Ferlo:

So moved.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Mr. Chairman, on the substance of the concern, the only problem I have is, and please educate me on this issue, my understanding of severance pay is that it has nothing to do with an individual who voluntarily retires. City department directors and authority department directors who voluntarily retire, they're lucky if they get a handshake. Where is this notion that somehow the individual is owed a severance pay, whether it be one month or, God forbid, the six months if the action took place? If you can review, I don't happen to have a copy of that policy, I asked for it but I haven't received it by today, if we have a copy that we could review it. But my understanding is the context in which a severance pay is given is not given at a time that somebody voluntarily retires from the City. If you're saying that this is a nice gesture or what have you, and this is a way out of a sticky issue, that's fine. The context in which a severance pay is given out is not given out to someone who voluntarily retires. And please correct me if I'm wrong on this point.

The Chair:

All I know is that I've asked Mr. Perry to

research it. There is an existing City policy and there has been some misunderstanding, precisely what they call this, but if they would have followed the existing City policy and they are a Pittsburgh authority, a full-fledged Pittsburgh authority, I don't think we would have the argument we have here today.

Mr. Ferlo:

I have never known, other than the recent case of Mr. Norton who parted company with the Caliguiri Administration, who I believe, if I remember correctly, received three or four thousand dollars which probably could best be described as severance pay. In the context of that break of relationship where the Administration brought this individual in, there's a parting of company along the way, I believe that gentleman received three or four thousand dollars and I don't know if it was referred to as severance pay, but it was provided to him.

In that context, I see the severance pay issue is appropriate, but again, in voluntary retirements, is it the case that every department director, the recent directors that we've had retire, receive severance pay? I don't think that is the case.

The Chair:

If they meet the criteria that is indicated in the policy.

All I'm asking is, rather than us debate that issue, that we send a uniformed message to the Housing Authority which you, Mr. Ferlo, can physically carry, hopefully, to that Board come this Thursday.

Mr. Cohen:

Mr. President, I think the motivation behind the motion is a very positive one and I

would very much like to send a unanimous message of cooperation and I will vote for the motion.

Technically, it's not severance because there was no termination involved, but nevertheless, I think that it would be a positive motion. I'm going to vote for it.

Mr. Coyne:

Mr. President, I agree with the sentiment behind the idea. However, I think along with the lines that Mr. Ferlo is on is that, if we send this letter right now, we are admitting that it is a severance pay. I think maybe the letter should be written in such a manner that it states in the future, that we urge the Housing Authority to adopt City guidelines. However, in the case of Mr. Pietragallo, I don't see that being the case because I think there is a dispute as to whether he deserves severance pay or what the actual terminology should be to the amount of money he receives.

So, I can't see sending this letter with the context of this issue, but I think a letter would be appropriate urging them in the future to follow City policy.

The Chair:

All I know, Mr. Coyne is that they have not officially voted on this yet. So, as far as I'm concerned, it's hearsay until they officially vote on it.

Mr. Regan:

Mr. President, I don't think we should let anybody take the back door out here. We voted to send a message and anybody that didn't want to vote to send a message, they were welcome to do so. And I don't think you or anybody in this body should be able to take the back door out.

The Chair:

I'm not. There is an existing City policy.

Mr. Regan:

I didn't say you were. I just said that I don't think that anybody should be able to do that.

The Chair:

All I'm saying is, there's an existing City policy and there's an official meeting coming up Thursday and I want them to abide by that existing City policy. And I think this legislative body should send a message that they do that.

Mr. Ferlo:

Mr. Chairman, I sympathize with the concern that you're raising. Could it appropriately be worded that we urge the Housing Authority Board of Directors to adopt the same, if not similar, policy that the City has as it relates to severance pay period, without mentioning Mr. Pietragallo, without mentioning any of the particulars? Just say that we urge the Authority Board to adopt the severance pay that is in place for the City Administration without addressing the issue of Pietragallo or anything like that.

The Chair:

That's fine.

Mr. Ferlo:

I have no problem with that. But I have a problem if you muddle it with the issue of Mr. Pietragallo and what is severance pay and what have you. We wanted to send the message to the Board to please adopt a like or similar policy that is in place in City government. I would support

that resolution.

Mr. Wagner:

Mr. Ferlo, I can live with that as long as you, as a Board Director, put that issue on the agenda as the first item.

Mr. Ferlo:

I most certainly will, Mr. Chairman.

The Chair:

Okay, that is the amended issue.

Mr. Milliones:

I can live with that as well so long as -- Perhaps this Board may choose not to adopt such a policy and I would have the expectation that we would not take any more of their money.

Mr. Ferlo:

I would commit to that, certainly.

Mr. Cohen:

I would commit to that.

Mr. Regan:

I think we already agreed to make a motion to give the money back if they agree to show a little interest in this body. We didn't hear from them last week. I don't think we're trying to take money off of anybody; I think we're trying to send a message and, evidently, nobody is hearing that message.

The Chair:

On the motion to ask them to adopt the official policy of City government for one

month's severance pay, roll call vote.

Mr. Coyne:

One question before I vote. This is not going to deal, then, with the Pietragallo issue? Just for cases in the future?

The Chair:

It's first on the agenda, yes. Mr. Ferlo can bring that up as the initial issue.

Mr. Coyne:

Then I vote no.

Mr. Ferlo:

I think we have unreadiness on the motion, Mr. Chairman. My proposal to you, Mr. Chairman, is that your motion just be pure and simple, and that is, we would like the Housing Authority Board to entertain a discussion and to approve the same policy that City government has as it relates to severance pay. Period. That has nothing to do with Mr. Pietragallo because we haven't even decided at the Authority Board that he's owed a severance pay or what amount. It's entirely an apples and oranges discussion.

The Chair:

They're apples and oranges but, at the same time, they're in the same crate. The reason why the motion is on the floor is so that we can send a message prior to them officially voting on that item. And, if anything, we would send a uniform message.

Mr. Ferlo:

But the motion that we're sending over in writing from the Clerk just says, pure and simple, "Please adopt the same City policy as it re-

lates to severence pay." Now, what the Board interprets that to mean as it relates to one month for Pietragallo or anything of the sort, that's on them.

The Chair:

That's on you. You'll be on the Board.

Mr. Ferlo:

I'm not on the Board yet.

Mr. Coyne:

If the letter is going to be used for the purpose of dealing with Mr. Pietragallo, I vote no.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't Pro tem)

AYES 7 NOES 1

(MR. COYNE VOTING NO)

(MR. REGAN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was ap-

proved.

Mr. Ferlo presents

No. 89 Supplementing Rule X of the Rules of Council which will provide for informational meetings to be included in the Wednesday Standing Committees Meeting agenda.

Which was read.

The Chair:

That bill will be discussed next Tuesday and voted on next Tuesday.

The Chair presents

No. 88 Resolution appointing Jim Ferlo, 5811 Stanton Avenue, Pittsburgh, Pennsylvania 15206 to the Housing Authority of the City of Pittsburgh, to complete the term previously held by Ben Woods.

Mr. Coyne moved to approve the appointment.

Mr. Cohen seconded the motion.

The Chair:

If this is approved today, Mr. Ferlo will be officially on the Board at the next meeting this Thursday.

Mr. Ferlo:

It should be an interesting meeting.

Mr. Milliones:

Are you sure you want this, Mr. Ferlo?

Mr. Ferlo:

Condolences are in order. Yes, I want this very much.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Ferlo was approved.

Mr. Coyne moved to approve the Minutes of Tuesday, December 5, 1989; Tuesday, December 12, 1989; Tuesday, December 19, 1989; Tuesday, January 2, 1990; and Tuesday, January 9, 1990.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of Mr. Coyne

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, January 30, 1990

No. 5

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, January 30, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, Mr. President and Mem-

bers of Council. I'd like to call up to the microphone Steve Irwin, Judy Aiken, Gerri Giles and Kathy Martin, Fred Goff and Steve Ross. Steve Irwin is Chairman of the Bowl for Kids Day of Big Brothers/Big Sisters. Judy Aiken, to his left, is Executive Director of Big Brothers/Big Sisters. Gerri Giles is Big Sister of the Year and Kathy Martin is Little Sister of Gerri Giles. Fred Goff is Big Brother of the Year and Steve Ross is his Little Brother.

Mr. Cohen presents

No. 185 WHEREAS, Big Brothers & Sisters of Greater Pittsburgh, Inc., celebrating its Silver Anniversary, is a nonprofit corporation which recruits, rigorously screens, trains, then matches and supervises adult volunteers who work with boys and girls from single-parent homes; and

WHEREAS, boys and girls being raised by a single parent usually enjoy only half the amount of adult contact of other youngsters; and

WHEREAS, since its inception in 1965, Big Brothers & Sisters of Pittsburgh, Inc. has provided services to more than 2,600 children who have benefited from the special care and concern of the Agency's Big Brother and Big Sister volunteers and its professional staff; and

WHEREAS, the Agency currently is monitoring 207 active matches at a cost of approximately \$1,650 per match per year; and

WHEREAS, Big Brothers & Big Sisters receives no government funds, charges no fees

for service, is not a United Way agency, and receives its support solely from friends in the Pittsburgh community; and

WHEREAS, Bowl for Kids Day, a one-day event which 4,000 persons attend and where nearly 18,000 sponsors pledge money to Big Brothers & Sisters for each pin knocked down, is the principal fund raising vehicle for Big Brothers & Sisters and is scheduled for March 4, 1990; and

WHEREAS, Princess Lanes, Kenny Ross and Sons Chevrolet, WPXI-TV, WAMO-FM, and Arby's, among other companies, have joined together to underwrite the cost of this important event vital to the continued operation of this great mission; and

WHEREAS, Pittsburgh Steeler Most Valuable Player Louis Lipps, and his wife, Toni, are Honorary Co-Chairpersons of Bowl for Kids Day 1990; and

WHEREAS, Gerri Giles and Fred Goff have been named Big Sister and Big Brother of the Year, respectively.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Big Brothers & Big Sisters of Pittsburgh, Inc. on its Silver Anniversary and acknowledges the contributions it makes to the lives of so many young people, and

BE IT FURTHER RESOLVED, that the Council declares March 4, 1990 to be Bowl for Kids Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

I want to congratulate all of you and I think there are a couple people who want to make some remarks.

Mr. Irwin:

President Wagner, Members of Council, Councilman Cohen, on behalf of the Board of Directors of Big Brothers and Sisters, I congratulate you on proclaiming March 4, 1990 as Bowl for Kid Day. Now whenever you see one of these buttons, "Ask Me About The Day", you'll know exactly what it is and you can tell people to either bowl or form a team or sponsor somebody else who is bowling for kids.

I can speak well of your support for this agency. I've been a big brother for more than 11 years and I've watched my little brother rise from the floors of his grandmother's bedroom where he slept, to the floors of my college dormitory from time to time on the weekend, to now the dormitory of Brandeis University where he is a sophomore. It's very exciting to see that and to be here today.

We have with us today the kids that this whole thing is all about. We have the Big Brothers and Sisters of the Year who will be recognized tonight at the annual meeting of Big Brothers and Sisters which is celebrating its silver anniversary, 25 years here in Pittsburgh.

I think that maybe Kathy and Steve might like to just thank you for recognizing Big Brothers and Sisters and Bowl for Kids Day.

Kathy Martin:

Gerri is my Big Sister and we like to read, skate and going out to eat. And I'm going to Bowl for Kids. Thank you.

Steve Ross:

Me and Fred do a lot together. We eat, we go swimming, we go bowling. We do a lot of things together every Saturday. Thank you.

Mr. Goff:

Just on a personal note, I just want to comment that it's a privilege to have a small role in Councilman Cohen's first piece of legislation that is passed. I'm confident that all his future proposals will receive the same unanimous support that this one received. Thank you very much.

The Chair:

Thank you all.

Mr. Ferlo:

I'd like some of the representatives from the various senior centers from the City throughout the area to come up, all this lobbying crew that's here today. I figured if I brought some troops, there'd be no way you couldn't support this resolution. We have some folks here from Troy Hill and Sheraden and Bloomfield/Garfield, Market House, South Side and probably a few other neighborhoods.

Mr. Ferlo presents

No. 186 WHEREAS, the Senior Citizens Health Care Campaign, the Pennsylvania Public Interest Coalition, the Citiparks Senior Advocacy Council, City Council and over 500 organizations state-wide have endorsed Pennsylvania House Bill 700, the Medicare Overcharge Measure; and

WHEREAS, the elderly are the fastest growing age group in the Pittsburgh region, and have higher health care costs and lower incomes

than any other adult age group; and

WHEREAS, every medical insurance program sets rates which doctors must accept if they wish to be included; and

WHEREAS, even though Medicare's rates are reasonable and adjusted annually, only 30% of Pennsylvania's doctors accept Medicare's reasonable charges all the time; and

WHEREAS, Pennsylvania's seniors were overcharged \$61 million in out-of-pocket expenses by Medicare-participating doctors in 1986; and

WHEREAS, these enormous overcharges severely restrict older people's access to needed health care, causing unnecessary pain, suffering, and even death; and

WHEREAS, other state governments have taken effective legislative steps to curtail Medicare overcharging and have passed legislation over the objections of physician lobbying organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the efforts of the Senior Citizens Health Care Campaign and our own Citiparks Senior Citizens Advocacy Council in their efforts to support House Bill 700, the Medicare Overcharge Measure, which requires all licensed physicians in Pennsylvania to charge Medicare beneficiaries no more than Medicare's reasonable charges, ensuring access to needed quality health care regardless of income; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges all citizens to participate in a rally and legislative lobbying event on February 7, 1990 at the State Capitol in support of H. 700, the Medicare Overcharge Measure (MOM).

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. Chairman, I think it's important because really, City Council set the pace here a year and a half ago. Councilman Coyne and many others have been involved in supporting the MOM bill. When this bill started, it had one sponsor, Alan Kukovich, from Greensburg, Westmoreland County. It now has 86 co-sponsors and was a main part of the Governor's budget message a week ago. So, the MOM bill has come a long way and we're really at the point now of getting this bill passed because of tremendous support in the Legislature.

Pretty much all of the Allegheny County delegations are in support of this bill, so your traditional names like Gigliotti and DeLuca and Kyle and Itkin and Bill Robinson and Frank Pistella and lots of others are behind the bill.

However, I do want to single out six State Representatives in the Greater Pittsburgh area who have not supported the bill and they are, specifically, Huck Gamble, Joseph Markosek, Elaine Farmer who is from the North Hills, Dave Mayernik who I believe is from the North Hills area, Rick Cessar and Brian Clark. These particular legislators have not endorsed the bill, so if you're in the listening audience, please communicate to these six Legislators and get them on board in support of the MOM bill.

This bill is very critically needed. I quoted figures of \$61 million. This would be the out of pocket expenses that an elderly recipient who has Medicare has to pay out of pocket. This bill would eliminate out of pocket expenses. It

would say that if a physician accepts Medicare Assignment Fee, he or she would have to accept that fee in full. This is being done in a number of other states. It would eliminate the out of pocket additional expenses that is burdensome to any elderly person. And at a time when the co-payment and deductible of Medicare has outrageously increased over the last decade, this bill is even more critically needed.

I'd like to just call briefly on Sam Valicenti who is very active in the Sheraden community. I know him from many other issues that he's been active on. I'd like him to say a few words about this bill and anybody else who might want to make a brief statement, you're welcome to. But all these folks are from various senior centers throughout the City.

There is a bill that we're introducing in Council tomorrow to expend payment of about \$1,500 to charter two buses. They were going to send about 20 people in two City vans which I think is not only unsafe but not necessary when there's so many others that have signed up and want to go.

Mayor Masloff testified over a year and a half ago in support of this legislation and I believe very clearly that she will be in the leadership on February 7th in support of this legislation.

Mr. Valicenti:

Mr. President, Members of Council, ladies and gentlemen, you don't know how we feel right now. We're very glad that City Council has brought this proclamation up and we know that you're behind us. We need your help really bad. It's very hard for a senior to go to a doctor, with the limited income they have, to come back and find out after Medicare pays their share of the bill that they still owe X amount of dollars more. That's the part that we want. We

want doctors to accept whatever Medicare allows.

As I said, we thank you for backing us and we hope you use your influence in asking other Legislators to support us. Thank you.

Mr. Ferlio:

Members of Council, I just want to say that I will be in Harrisburg on February 7th lobbying with our Representatives from the City and around the State. If any of you can join us, that would be great. And, if not, maybe there's others in the community that you know would like to be advocates on this bill. Let's really converge on Harrisburg and let's use this as one of our first main lobbying efforts because I think we can be successful. And then we'll take them all back for tax reform, Michelle. Thank you.

The Chair:

Thank you all.

Mr. Milliones:

May I ask Mr. Manford Sales to step forward, please? Mr. Sales is being honored as Scoutmaster of the Year. He has been a Scoutmaster at Ebenezer Church in the Hill District for over 49 years and I think that's truly commendable.

Mr. Milliones presents

No. 187 WHEREAS, on February 3, 1990, Mr. Manford Sales will be honored at the Pittsburgh Hilton Hotel Grand Ball Room as "Scoutmaster of the Year"; and

WHEREAS, Manford Sales has been involved with the Boy Scout's Troop 59 Ebenezer Baptist Church located in Pittsburgh's Hill District since he first joined at the ripe age of 12, be-

came Scoutmaster in 1940 and has served in this capacity for over 49 years; and

WHEREAS, Manford Sales is highly respected today for his help in developing leadership among black youths, and has received numerous awards for his contributions to the Boy Scouts Organization, including that of Recipient of the District Award of Merit in 1989, Scouting Commendation to Urban Youth in 1989, Recipient of Ebenezer Baptist Church Commendation in 1989, and Recipient of Commendation from Pastor and Committee in 1989, as well as many other awards; and

WHEREAS, along with his prestigious scouting career, Manford Sales is very active in his church organization, and has distinguished himself as a leader in the civic community by helping to place the first black vendors at Forbes Field and the first black sales people in supermarkets, banks, and other organizations locally; and

WHEREAS, Manford Sales has shared his life with his beloved wife, Ann, and five children, Sandra Bullock, Linda Robinson, Lisa, Manford Jr. and Stephen.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Manford Sales, recipient of the Scoutmaster of the Year Award, for his outstanding service, inspiring leadership, and dedicated support to the youth of this community and especially the members of the Boy Scouts of America Troop 59; and

BE IT FURTHER RESOLVED, that February 3, 1990 be proclaimed as MANFORD SALES DAY in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Sales:

First, I'd like to have some of the ones that are responsible for me being in this position to come and stand with me, my wife, Mr. Pickett and other friends who came with me.

First, honor to God that I receive this resolution, and thanks to this committee and the Councilman who has so recommended that I receive it.

This is very special to me because this year is my golden year. In March of this year I start 50 years of scouting. I've been satisfied with just starting scouting. 50 years this October I received the best assistant that anyone could have. She has washed the pans and found my packs. This has helped my responsibility and she has been the finest assistant that I have had.

I hope that I will take this resolution and do just like a scout always does - carry the words of the law and be prepared to do more work for the next 50 years.

Mr. Darkins:

Mr. President, I would like to put a motion on the floor that February 3, 1990 be Manford Sales Day in the City of Pittsburgh.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Thank you all.

Mr. Cohen presented

No. 90 Resolution providing for a Con-

tract or Contracts, or use of existing Contracts for the Construction/Reconstruction of Various Retaining Structures, including but not limited to Holt Street, Andover Terrace, Dakota Street, Pusey Street, and Sprain Street, at a cost not to exceed \$270,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 91 Resolution authorizing the City to incur Lease Rental Debt in the amount of \$14,000,000.00 by entering into an Equipment Lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1990, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds.

Which was read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 92 Resolution providing for an Agreement or Agreements with Westside Community Development Corporation for administrative assistance in an amount not to exceed \$23,460.00, chargeable to and payable from the 1986 Community Development Block Grant Program "City Council" "Unspecified Local Options" (CC-86-01).

Also,

No. 93 Resolution Repealing Bill No. 42, passed in Council January 23, 1990 entitled: "Resolution amending Resolution No. 1061, ef-

fective January 1, 1990, entitled, 'Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program', by increasing line item CP-468, Hunger Services Pittsburgh Community Services by \$39,000.00, from \$150,000.00 to \$189,000.00. ---**(SPONSORED BY MR. FERLO)**

Also,

No. 94 Resolution Repealing Bill No. 41, passed in Council January 23, 1990 entitled: "Resolution amending Resolution No. 1061, effective January 1, 1990, entitled, 'Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program', by decreasing line item HA-345, Rehabilitation and Modernization of Housing for Low and Moderate Income Families, by \$39,000.00, from \$1,510,000.00 to \$1,471,000.00. ---**(SPONSORED BY MR. FERLO)**

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 95 Resolution providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on February 7, 1990, in support of Senate Bill 700, The Medicare Overcharge Measure (MOM), at a cost not to exceed \$1,500.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies and Equipment, (Index Code 100115). ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or

after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 96 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, pertaining to the "SP-2" Herr's Island Specially Planned Zoning District, by revising the listing of preferred use and permitted use, by revising the percentage of required open space, by revising the amount of floor area permitted for light manufacturing use, and by providing additional definitions.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 97 Resolution amending Resolution No. 1053 of 1985, entitled: "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the Development and Administration of training programs for City staff and/or local organizations in Commercial Revitalization/Economic Development (provided through a HUD-SBA interagency project and the MATCH Institute)" so as to reduce the amount appropriated from \$8,000.00 to \$6,978.97, chargeable to and payable from the 1981 Community Development Block Grant Program, Department of City Planning, "Neighborhood Commercial Revitalization & Analysis" (CP-81-03).

Which was read and referred to the Committee on Finance.

Also,

No. 98 Resolution Repealing Resolution No. 1198, effective December 1, 1981, entitled: "Resolution providing for an Agreement or Agreements with the Public Parking Authority of Pittsburgh for the preparation of a landscape plan in connection with the design of Schenley Plaza parking area and traffic patterns on adjacent streets in the Oakland section of the City at a cost not to exceed \$5,000.00, chargeable to and payable from Oakland Study Implementation, P-79-08.

Also,

No. 99 Resolution amending Res. No. 697, app. 8-7-79, eff. 8-10-79, as amended by Res. No. 1019 of 1979 and by Res. No. 1230 of 1980, entitled, "Resolution providing for an Agreement/s, with the East Liberty Development, Inc., in connection with a Commercial Revitalization Program for the East Liberty Mall Area, by reducing the amount appropriated from \$61,298.73 to \$61,297.70, chargeable to and payable from the 1978 Community Development Block Grant Account, CP-78-08, Department of City Planning.

Also,

No. 100 Resolution amending Resolution No. 163 effective March 6, 1986, entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Clean City Committee, Inc., a non-profit corporation, for the purpose of administering the lot maintenance and Greenway implementation activities of the Property Management and Maintenance Program, so as to reduce the appropriation from \$150,000.00 to \$149,285.00, chargeable to and payable from the 1985 CDBG Program, Department of City Planning (CP-85-08) "Property Management and Maintenance Program".

Also,

No. 101 Resolution amending Resolution No. 779, effective August 19, 1985, entitled, "Resolution providing for an Agreement or Agreements with the "Project 90, Inc." for the administrative support in conducting a camping/recreation program for children of low-moderate income families, so as to reduce the amount appropriated from \$10,000.00 to \$9,900.00, chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Option", (CC-85-01).

Also,

No. 102 Resolution amending Resolution No. 715 of 1984 entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the Implementation of the "Home Security Program", including Block Watch Program", including Block Watch Organizers, and the installation of locks and smoke detectors in various Community Development Block Grant neighborhoods in the City", so as to reduce the amount appropriated from \$320,000.00 to \$289,164.17.

Also,

No. 103 Resolution amending Resolution No. 425, effective June 2, 1983 entitled, "Resolution providing for an Agreement or Agreements with the Oakland Planning and Development Corporation, Inc., for the City's share of funding for the continued involvement and execution of revitalization programs and projects in the Oakland Community," so as to reduce the amount appropriated from \$60,000.00 to \$59,071.42, chargeable to and payable from Oakland Plan Implementation (CP-83-07).

Also,

No. 104 Resolution amending Resolution No. 1351 effective December 22, 1982 entitled,

uled, "Resolution providing for an Agreement or Agreements with the East Liberty Development, Inc., a non-profit corporation located at 702 Highland Building, Pittsburgh, PA 15206, for professional services related to the East Liberty Commercial Support Program", so as to reduce the amount appropriated from \$50,000.00 to \$49,686.58, chargeable to and payable from the 1981 CDBG Program, Department of City Planning (CP-81-04) "East Liberty Commercial Support".

Also,

No. 105 Resolution amending Resolution No. 995 of 1978, as amended by Resolution No. 830 of 1979, entitled, "Resolution providing for a Cooperation Agreement with Community Human Services, a non-profit organization for the renovation of a building located at 372 Lawn Street, Pittsburgh, PA 15213 for domiciliary care of the area residents", so as to reduce the amount appropriated from \$105,000.00 to \$104,928.77.

Also,

No. 106 Resolution amending Resolution No. 786 of 1985 entitled, "Resolution providing for an Agreement or Agreements with the Hunger Action Coalition for administrative and operating funds of their Penn Avenue Office in an amount not to exceed \$50,000.00, so as to reduce the amount appropriated to \$49,219.34, chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Options" (CC-85-01).

Also,

No. 107 Resolution amending Resolution No. 413 of 1980, "Providing for a Supplemental Agreement or Agreements with the Pittsburgh Neighborhood Alliance" so as to reduce the amount appropriated from \$9,750.00 to

\$9,733.01, chargeable to and payable from the 1978 CDBG Program, "Unspecified Local Options".

Also,

No. 108 Resolution amending Resolution No. 1028 of 1978 entitled, "Providing for an Agreement, as amended with the Pittsburgh Neighborhood Alliance for the Planning and conducting of a series of neighborhood workshops on the Community Development Block Grant Program Trust Fund, Unspecified Local Options", so as to reduce the amount appropriated from \$9,750.00 to \$9,733.01, chargeable to and payable from the 1978 CDBG Program Trust Fund, Unspecified Local Options.

Also,

No. 109 Resolution amending Resolution No. 794 of 1986, as amended by Resolution No. 194 of 1987 entitled, Resolution providing for an Agreement or Agreements with the Pittsburgh Opportunities Industrialization Center, Inc., and the Urban Redevelopment Authority for the rehabilitation of their Fifth Avenue and Forbes Avenue buildings, at a cost not to exceed \$50,000.00, chargeable to and payable from the 1986 CDBG Program "Unspecified Local Option" (CC-86-01), so as to cancel the authorization.

Also,

No. 110 Resolution amending Resolution No. 444 of 1983 entitled, "Resolution providing for an Agreement or Agreements with local development corporations for continuation of neighborhood local development activities", so as to reduce the amount appropriated from \$30,000.00 to \$28,282.27, chargeable to and payable from the 1983 CDBG Program, "Unspecified Local Option".

Also,

No. 111 Resolution amending Resolution No. 224 of 1987, entitled, "Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the Unemployed, in an amount not to exceed \$25,000.00, so as to reduce the amount appropriated to \$23,644.00, chargeable to and payable from the 1987 CDBG Program - City Council - United Jewish Federation of Pittsburgh (CC-87-15).

Also,

No. 112 Resolution amending Resolution No. 376 of 1977 as amended by Resolution No. 890 of 1979 entitled, "Providing for a Supplemental Agreement with the Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project", so as to reduce the amount appropriated from \$34,711.96 to \$34,619.86.

Also,

No. 113 Resolution amending Resolution No. 80 of 1982, as amended by Resolution No. 272 of 1982 entitled, "Providing for an Agreement or Agreements with K.S. Sweet Associates, P.O. Box 249, King of Prussia, Pennsylvania for professional consulting services in connection with the "Economic Development Planning for the Pittsburgh's North Side", so as to reduce the amount appropriated from \$29,900.00 to \$27,230.00, chargeable to and payable from the 1977 CDBG Program, "Unspecified Local Option".

Also,

No. 114 Resolution amending Resolution No. 357 of 1985, entitled, "Resolution providing for an Agreement or Agreements for

professional auditing services in connection with the 1983 and 1984 Community Development Block Grant Program Years and the Community Development Block Grant Program - Third Party Contracts", so as to reduce the amount appropriated from \$50,000.00 to \$48,425.05, chargeable to and payable from the 1984 City Planning Administrative Account (CDPA), (CP-84-01).

Also,

No. 115 Resolution amending Resolution No. 277 of 1984, entitled Resolution providing for an Agreement or Agreements with the University of Pittsburgh for a study in connection with the Black Infant Mortality Problem in the Pittsburgh Area", so as to reduce the amount appropriated from \$10,000.00 to \$7,000.00, chargeable to and payable from the 1983 CDBG Program, Department of City Planning (CP-83-01).

Also,

No. 116 Resolution amending Resolution No. 675 of 1986 entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program", so as to reduce the amount appropriated from \$207,000.00 to \$206,714.00.

Also,

No. 117 Resolution amending Resolution No. 12 of 1984, entitled, "Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for commercial revitalization services in connec-

tion with the South Side Carson Street neighborhood commercial improvement program and providing for the payment of the cost thereof," so as to reduce the cost appropriated from \$40,000.00 to \$39,975.19, chargeable to and payable from the Neighborhood Commercial Revitalization Analysis and Support, (CP-83-04).

Also,

No. 118 Resolution amending Resolution No. 446 of 1983 entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus", so as to reduce the amount appropriated from \$200,000.00 to \$193,579.97, chargeable to and payable from the 1983 CDBG Program "Hill/Oakland Loop Bus", Department of City Planning (CP-83-11).

Also,

No. 119 Resolution amending Resolution No. 555, effective June 8, 1982 entitled, "Providing for an Agreement or Agreements with the South Side Local Development Corporation for Commercial Revitalization Support Services in the East Carson Street Business District", so as to reduce the amount appropriated from \$26,277.00 to \$25,938.29, chargeable to and payable from the 1979 CDBG Program, Department of City Planning, "Neighborhood Commercial Revitalization Analysis", (CP-79-03).

Also,

No. 120 Resolution amending Resolution No. 731 of 1980 entitled, "Providing for an Agreement or Agreements with Carnegie-Mellon University to assist the City in the identification of management and fiscal issues, analysis and recommendations regarding these issues

and the role of the City in provision of indoor recreation, facilities and services", so as to reduce the amount appropriated from \$10,000.00 to \$9,768.66, chargeable to and payable from Indoor Community Facility Study (CP-79-04).

Also,

No. 121 Resolution amending Resolution No. 1325 of 1980 entitled, "Providing for an Agreement or Agreements with the Allegheny Conference on Community Development as agent for the organization of a community education program in the City of Pittsburgh in cooperation with the Pittsburgh Public Schools, the Community College of Allegheny County, the Allegheny Conference on Community Development and the Charles Stewart Mott Foundation", so as to reduce the amount appropriated from \$10,100.00 to \$8,225.00, chargeable to and payable from Indoor Community Facility (CP-79-04).

Also,

No. 122 Resolution amending Resolution No. 1413 of 1980 entitled, "Providing for an Agreement or Agreements with a Consultant or Consultants to provide professional services for the study of the Pittsburgh code of Ordinances, Title IX, Zoning", so as to reduce the amount appropriated from \$50,000.00 to \$49,195.00, chargeable to and payable from the 1979 Community Development Block funds CDCP.

Also,

No. 123 Resolution amending Resolution No. 694 of 1984 entitled, "Providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus", so as to reduce the amount appropriated from \$200,000.00 to \$199,962.76, chargeable to and payable from the 1984 CDBG Program,

"Hill/Oakland Loop Bus", Department of City Planning (CP-84-06).

Also,

No. 124 Resolution amending Resolution No. 1029 effective November 1, 1985 entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to undertake a study of the existing condition of various components of the City's infrastructure stock, and the cost to repair these facilities. The study will involve, but not be limited to, an analysis of specific walls, roads, swimming pools and police, fire and EMS Stations that are in need of repair", so as to reduce the amount appropriated from \$370,000.00 to \$360,000.00, chargeable to and payable from (CP-83-10).

Also,

No. 125 Resolution amending Resolution No. 1162 of 1983 entitled, "Providing for an Agreement or Agreements with the Kingsley Association of East Liberty for a youth counseling program that assists low-income persons with information on career opportunities", so as to reduce the amount appropriated from \$15,000.00 to \$12,592.58, chargeable to and payable from the 1981 CDBG Program, "Unspecified Local Options".

Also,

No. 126 Resolution amending Resolution No. 1150 of 1982 entitled, "Providing for an Agreement or Agreements with architectural/engineering services and/or a contract or contracts including the use of existing contracts for design and construction of roof insulation at Chadwick Civic Center", so as to reduce the amount appropriated from \$10,000.00 to \$9,000.00, chargeable to and payable from the 1981 CDBG Program Trust Fund, "Unspecified Local Options".

Also,

No. 127 Resolution amending Resolution No. 703 of 1984 entitled, "Providing for an Agreement or Agreements with a consultant or consultants to conduct a feasibility study of elderly housing development in the Mt. Washington neighborhood", so as to reduce the amount appropriated from \$40,000.00 to \$39,500.00, chargeable to and payable from the 1984 CDBG Program, "Unspecified Local Options", (CC-84-01).

Also,

No. 128 Resolution amending Resolution No. 495 of 1983 entitled, "Providing for an Agreement or Agreements with the Advanced Technology Center, Mellon-Pitt-Carnegie Corporation, located in Oakland for local government matching funding support of the Advance Technology Center to identify research and development opportunities for Western Pennsylvania, and provide financial packaging and technical assistance, at a cost not to exceed \$25,000.00," so as to reduce the amount appropriated to \$23,110.52, chargeable to and payable from the 1983 CDBG Program, "Unspecified Local Options".

Also,

No. 129 Resolution amending Resolution No. 501 of 1986, entitled, "Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh and the "Pittsburgh Employee Ownership Charitable Trust Fund" to be the City of Pittsburgh's share of a local match of funding to develop a business plan for an employee owned and operated meat packing plant", so as to reduce the amount appropriated from \$15,000.00 to \$13,500.00, chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Op-

tions" (CC-85-01).

Also,

No. 130 Resolution amending Resolution No. 778 of 1986, entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with their counseling program for victims of sexual abuse in an amount not to exceed \$50,000.00", so as to reduce the amount appropriated to \$49,997.00, chargeable to and payable from the 1986 CDBG Program, "Unspecified Local Options" (CC-86-01).

Also,

No. 131 Resolution amending Resolution No. 810 of 1985 entitled, "Providing for an Agreement or Agreements with the Pittsburgh Mediation Center, Inc., for administrative costs in operation of their program aimed at improving/expanding mediation of disputes, at a cost not to exceed \$14,200.00, so as to reduce the appropriated to \$14,197.01, chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Options".

Also,

No. 132 Resolution amending Resolution No. 782 of 1985 entitled, "Providing for an Agreement or Agreements with the South Side Local Development Company, located at 1141 East Carson Street, to provide support for the Main Street Program, so as to reduce the appropriated from \$35,000.00 to \$32,215.00, chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Options" (CC-85-01).

Also,

No. 133 Resolution amending Resolu-

tion No. 448 effective June 16, 1988 as amended by Resolution No. 627 effective August 2, 1989, entitled, "Resolution providing for the filing a a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program," so as to delete a line item (FD-88-02) "Salaries, Fringes and Indirect Costs Related to CDBG Inspections" (\$-112,500.00) and create a line item "Wall Improvement Program" Department of Engineering and Construction (\$+112,500.00).

Also,

No. 134 Resolution amending Section 10 of Resolution No. 234 of 1986, as amended by Resolution No. 1180 of 1986; by Resolution No. 43 of 1987, and by Resolution No. 715 of 1989 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program" so as to decrease line item and create a new line item in the Department of Engineering and Construction; create a line item in the Department of City Planning, and reduce the amount appropriated in the City Council budget.

Also,

No. 135 Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198 effective March 13, 1987; Resolution No. 584, effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987; Resolution No. 517 of 1988 and Resolution No. 328 of 1989 entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Redevelopment for a grant in connection with the 1987 Community Development Block Grant Program," so as

to decrease two (2) line items in the Department of Fire (FD-87-01) "Demolition and/or Sealing of Condemned Buildings" (-\$6,050.00) and (FD-87-02) "Salaries, Fringes and Indirect Costs Related to CDBG Inspections" (-\$90,986.51), decrease (CC-87-15) "United Jewish Federation" (-\$1,356.00) and add a line item "Wall Improvement Program" (+\$98,392.51) Department of Engineering and Construction.

Also,

No. 136 Resolution amending Section 10 of Resolution No. 1150 of 1984 as amended by Resolution No. 635 of 1985 and by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989 entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1985 Community Development Block Grant Program"; so as to reduce line items in the Department of Engineering and Construction and City Council and create a line item in the Department of City Planning (Commission on Families).

Also,

No. 137 Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984 as amended by Resolution No. 728, effective August 21, 1984, and by Resolution No. 284, effective March 30, 1987 and by Resolution No. 548 of 1989 entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1984 Community Development Block Grant Program", so as to reprogram funds in the Department of City Planning, the Department of Engineering and Construction and City Council and create a line item in the Department of City Planning (Commission on Families).

Also,

No. 138 Resolution amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution Nos. 394 and 692 of 1983; and by Resolution No. 940 of 1984; and by Resolution No. 634 of 1985; and by Resolution Nos. 103, 177, 515 and 660 of 1986; and Resolution Nos. 286, 443, 502 of 705 of 1987, and Resolution No. 549 of 1989, entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program", so as to reprogram funds in the Department of City Planning and the Department of Parks and Recreation and create new line items in the Department of City Planning and the URA.

Also

No. 139 Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 359 and 835 of 1981, and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212 and 1012 of 1983, and by Resolution No. 151 of 1984; and by Resolution No. 115 of 1988, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1981 CDBG Program," so as to decrease the line items in City Council, "Unspecified Local Option", City Planning and Public Works and create a line item in the Urban Redevelopment Authority (Sullivan Street Improvements).

Also,

No. 140 Resolution amending Section 11 of Resolution No. 1228, effective December

31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201 and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolution Nos. 101 and 201 of 1986 and by Resolution Nos. 711 and 825 of 1988 entitled, "Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 CDBG Program," by decreasing line items in the Department of Public Works, and the Department of Parks and Recreation, and adding these reprogrammed funds to the Urban Redevelopment Authority (Sullivan St. Improvements).

Also,

No. 141 Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251 317 and 649 of 1979; and by Resolution Nos. 286 and 1192 of 1980; and by Resolution No. 1203 of 1981; and by Resolution Nos. 393 and 1013 of 1983; and by Resolution No. 100 of 1986, and by Resolution No. 677 of 1987 entitled, "Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 CDBG Program," so as to reduce line items in the Department of City Planning and add reprogrammed funds to City Council "Unspecified Local Option" and the Urban Redevelopment Authority.

Also,

No. 142 Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; by Resolution Nos. 98, 286

and 1015 of 1986; and by Resolution No. 192 of 1989, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development Block Grant Program", by decreasing line items in the Department of Public Works, the Department of City Planning, the Department Parks and Recreation, and adding these funds to the City Council - ULO line item.

Also,

No. 143 Resolution amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1977, Resolution Nos. 595 and 596 of 1978, Resolution No. 591 of 1979, Resolution No. 1418 of 1981, Resolution No. 151 of 1982, Resolution No. 104 of 1986 and by Resolution No. 704 of 1987, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant Program", by decreasing several line items in the Department of City Planning and adding reprogrammed funds to City Council.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 144 Resolution providing for an Agreement or Agreements with the Hunger Services Network for the provision of administrative assistance in carrying out hunger related programs of the "Hunger Task Force" in an amount not to exceed \$10,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by provid-

ing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 145 Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the "Commission on Families" program at a cost not to exceed \$45,000.00.

Also,

No. 146 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 147 Resolution authorizing and directing the Mayor of the City of Pittsburgh to enter into a close-out agreement with the United States Department of Housing and Urban Development for the Liberty Center Hotel Grant Project.

Also,

No. 148 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$2,000,000 to the Pennsylvania Department of Community Affairs for the Penn Avenue Plaza Project.

Also,

No. 149 Resolution providing for the Penn Avenue Plaza Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$2,000,000 in conventional financing and equity funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.

Also,

No. 150 Resolution authorizing Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to undertake street and housing improvements in the Sullivan Street area of the City of Pittsburgh (Mossfield Court Townhouses) at a cost not to exceed \$35,000.00. (COUNCIL DISTRICT NO. 7)

Also,

No. 151 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 25th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 23C Lot 129 (211-213 Belleau Street), under the Residential Land Reserve Fund, for the sum of \$1.00 plus all necessary and incidental expenses. This property is being acquired to complete a site for residential construction. The North Side Civic Development Council, Inc. owns the adjacent lots and intends to include this lot in their development.

(COUNCIL DISTRICT NO. 6)

Also,

No. 152 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Breachmenders, Inc. for the sale of Block 28A Lot 114 (251 Dunseith Street), in the 4th Ward of the City of Pittsburgh, for the sum of \$3,000.00. This property is being acquired for rehab. Breachmenders, Inc. is a non-profit community development corporation with an office at 200 Robinson Street. This property has been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (COUNCIL DISTRICT NO. 8)

Also,

No. 153 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Barbara and George Stanich for the sale of Block 12K Lot 69 (2113 Sarah Street), in the 16th Ward of the City of Pittsburgh, for the sum of \$480.00 -- Residential Land Reserve Fund. The redeveloper plans to use this lot as a sideyard. The redeveloper's address is 2111 Sarah Street. The lot contains approx. 2,400 sq. ft. This property is being acquired following certification as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (COUNCIL DISTRICT NO. 3)

Also,

No. 154 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Marcella Bilski, and designated as Block and Lot 12K-69 (2113 Sarah Street), in the Deed Registry Office of Al-

legheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired for resale to an adjacent owner as a sideyard. The adjacent owner will pay the purchase price of \$480.00. (COUNCIL DISTRICT NO. 3)

Also,

No. 155 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 21st Ward of the City of Pittsburgh, designated as Block and Lot 22P-157 (1307 Pennsylvania Avenue) in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired for sale to Manchester Citizens Corporation who will rehab the structure for resale to a low/moderate income owner. (COUNCIL DISTRICT NO. 6)

Also,

No. 156 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 4th Ward of the City of Pittsburgh, designated as Block and Lot 28A-114 (251 Dunseith Street), in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the Residential Land Reserve Fund, said property having been certified as

blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The redeveloper plans to rehabilitate the existing residential structure on this lot. The purchase price of the land is \$3,000.00. The redeveloper is a non-profit community development corporation with an office at 200 Robinson Street, Pgh, PA 15213. The officers are: Earl Brooks, President; Elizabeth Pendleton, Vice-President; Linda Schmidt, Secretary; and David Brewton, Executive Director. (COUNCIL DISTRICT NO. 8)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 157 Resolution amending Resolution No. 774, effective October 2, 1987, entitled, "Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings", so as to reduce the appropriation from \$450,000.00 to \$443,950.00, chargeable to and payable from Code Account Community Development, FD 87-01, Demolition and/or Sealing of Condemned Building, Including Site Restoration and Boarding and Party Walls.

Which was read and referred to the Committee on Public Safety.

Michelle Madoff presented

No. 158 Resolution providing for the issuance of a warrant in favor of BTR Water Measurements, Incorporated, P.O. Box 371254, Pittsburgh, PA 15251-7254, in the amount of \$7,500.00 in payment for equipment furnished for the benefit of the City in connection with the purchase of eight Smart Gun Visual Readers with T.P. Adapters, chargeable to and payable from Code Account M.I.P., Meter Installation

Program, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Milllones presented

No. 159 Resolution providing for the issuance of a \$909.00 warrant in favor of Brookline Boulevard United Presbyterian Church in settlement of claim for sidewalk damage by City tree roots at 1036 Brookline Boulevard, payable from Code Account No. 46, Judgments.

Also,

No. 160 Resolution providing for the issuance of a warrant to David J. Pierson and Lori Ann Pierson, his wife, in the amount of \$50,000.00 in full settlement of claim for personal injury suffered by husband-plaintiff as a result of a motor vehicle accident at Federal Street and Jefferson Street and impacted a guide rail. The guide rail had previously been partially sheared off, creating a steel projection that was extremely dangerous, payable from Code Account No. 46, Judgments.

Also,

No. 161 Resolution providing for the issuance of a warrant in the sum of \$3,000.00 to Jesse L. Garrett and Anniebell Garrett, c/o William W. Acker, Jr., Esq. their Attorney, Acker & Acker, 304 Ross Street, 7th Floor, Pittsburgh, PA 15219 in full and final settlement of an alleged razing of plaintiff's garage at 2426 Webster Avenue or or about December, 1984, in the City of Pittsburgh of Pittsburgh, payable from Code Account No. 46, Judgments. The Garrett's garage at the Building Inspector's direction was mistakenly demolished.

Also,

No. 162 Resolution providing for the issuance of a \$3,500.00 warrant in favor of William J. and Bonnie Kramer in settlement of claim for property damage as a result of a broken sewer line, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 163 Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services (106302), Department of Finance.

Also,

No. 164 Resolution providing for an Agreement or Agreements with various community development corporations for lot clean-up services in targeted City neighborhoods at a cost not to exceed \$100,000.00, chargeable to and payable from Three Taxing Bodies Trust Fund, Index Code 254656, Department of Finance.

Also,

No. 165 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 166 Resolution Repealing Resolution No. 606, Item F, approved July 29, 1988, which authorized the sale of property in the 25th Ward, being a 2½-story, fra.-shg. house situated on a lot containing 15.43' x 100' x 15.60' Rr., lo-

cated at 556 Ridgewood Avenue, designated as Block 46 N, Lot 107, to Warden Properties, solely owned and operated for investment by Nilardi N. Bagchi and his wife, Momita Bagchi, for the sum of \$1,500.00. Through a title search is was discovered that the City does not have a marketable title to the property.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 167 Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crime for professional services in connection with advocacy services at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 168 Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program at a cost not to exceed \$60,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 169 Resolution providing for an Agreement or Agreements with the Legal Advocacy for Women, AKA Support for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1990 at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 170 Resolution providing for an

Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety, which shall include, but shall not be limited to, written evaluations, testing, counseling, therapy consultations, training and criminal profiles at a cost not to exceed \$48,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 171 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services for the residents of the City of Pittsburgh during 1990 at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Which were severally read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 172 Resolution approving the Steel Valley Authority's acquiring and holding of land, buildings, machinery and equipment, located on the site of the LTV Pittsburgh Works in the 16th Ward of the City of Pittsburgh, which the Authority deems necessary or convenient for the creation of an industrial development project on the site.

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 173 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 1208 Palo Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, District 3, City Council. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Also,

No. 174 Resolution authorizing and directing the Director of the Department of Public Works to cablecast certain City Council Post Agenda Meetings which take place immediately following the Standing Committees Meeting, on the City of Pittsburgh's Government Channel. The Director of Public Works shall upon seven (7) days written notice from the City Clerk, cablecast certain Post Agenda Meetings. Each Member of Council shall make no more than three (3) requests to the City Clerk to cablecast certain Post Agenda Meetings in a calendar year. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Public Works.

The Chair presented

No. 175 Resolution providing for the issuance of a warrant in favor of Walter H. Drane Company, in the amount of \$11,653.33 for the purchase of the 1990 replacement pages to the

Pittsburgh Code, chargeable to and payable from Code Account No. 1005-3, Printing Pittsburgh Code (Index Code 100537). ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 176 Communication from David Washington, Acting Executive Director, Housing Authority of the City of Pittsburgh, submitting an alphabetical listing of the Housing Authority employees.

Also,

No. 177 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of October 31, 1989.

Also,

No. 178 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of November 30, 1989.

Also,

No. 179 Communication from Thomas Flaherty, City Controller, submitting the Performance Audit of Vacant Property Maintenance, January, 1990.

Which were severally read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo presents

No. 89 Supplementing Rule X of the Rules of Council which will provide for informational meetings to be included in the Wednesday Standing Committees Meeting agenda.

Which was read.

Mr. Ferlo:

Mr. Chairman, I move to hold this for one week.

Michelle Madoff seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 180

Report of the Committee on Finance for January 24, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 44

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$2,500.00 payable to Joseph J. Burzynski, c/o Alvin E. Dillman, Jr. Zoffer, Dillman, Wedner, Friedman & Frayer, 1516 Frick Building, Pittsburgh, PA 15219, in full settlement of a claim for de facto condemnation damages."

Which was read.

Also,

Bill No. 45

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$3,666.66 to John R. Filbert, c/o Diana F. Wilkins, Esq., his Attorney, Ecker & Rome, P.C., 1527 Frick Building, Pittsburgh, PA 15219 in full and final settlement of an alleged collision involving a City police vehicle at the intersection of Shady and Penn Avenues, in the City of Pittsburgh, on or about May 16, 1987."

Which was read.

Also,

Bill No. 47

A Resolution entitled, "Resolution providing for the issuance of a \$1,702.50 warrant in favor of NCSC/USA Housing Development Corporation in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 48

A Resolution entitled, "Resolution providing for an Agreement or Agreements to provide funding for the Greater Pittsburgh Commission for Women at a cost not to exceed twenty-five thousand (\$25,000.00); chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office, Index Code 101709."

Which was read.

Also,

Bill No. 50

A Resolution entitled, "Resolution providing for an Agreement or Agreements to provide funding for the North Side Civic Development Council at a cost not to exceed twenty-thousand dollars (\$20,000.00), chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office, Index Code 101709."

Which was read.

Also,

Bill No. 51

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-wide training programs for City employees and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 52

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 10th Ward, City of Pittsburgh, designated as Block 121 L, Lot part 129, to Gary A. Wilkinson and Frances M. Wilkinson, hiw wife, for the sum of \$350.00."

Which was read.

Also,

Bill No. 53

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, for certain jointly owned property in the 29th Ward, City of Pittsburgh, designated as Block 59-B, Lot 30, to the County of Allegheny in connection with Becks Run Bridge."

Which was read.

Also,

Bill No. 54

A Resolution entitled, "Resolution Repealing Resolution No. 88, Item A, approved March 7, 1989, which authorized the sale of property in the 5th Ward, being a vacant lot, located at 2419 Centre Avenue, designated as Block 10-R, Lot 104, to George Ellison for the sum of \$500.00."

Which was read.

Also,

Bill No. 55

A Resolution entitled, "Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 57

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Corporate Computer Center in the amount of \$1,273.52 for the purchase of budget strips and pre-punched paper for City Council's Operating Budget, without previous authority of law, chargeable to and payable from Code Account No. 1001-1,

Miscellaneous Services, Supplies, Equipment, etc. (Index Code 100115)." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

Also,

Bill No. 58

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Binding Corporation in the amount of \$998.00 for the purchase of tabs for City Council's Operating Budget, without previous authority of law, chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc. (Index Code 100115)." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 181

Report of the Committee on Public Works for January 24, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 38

A Resolution entitled, "Resolution granting the Sterling Land Company of 4609 Bayard Street, their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a permanent and temporary easement to a building and shoring on a portion of the sidewalk of North Craig Street, Bayard Street and Chesney Way in the 4th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't Pro tem)

AYES 8

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 39

A Resolution entitled, "Resolution vacating Phelan Way beginning at a point 233.95' from 30th Street, thence eastwardly 291.86' by 20' to a point, in the 6th Ward of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

On the vacation of Phelan Way in the Sixth Ward, I'd like to make a motion to have it become law upon the signature of the Mayor. Basically, the East Side Alliance Group is trying to close the deal and they've been waiting for several months for this to finally get approved.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 40

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Clean Community System Program Committee for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1990, and providing for the payment of the cost which is not to exceed \$540,000 and is chargeable to and payable from Code Account 1176, Index Code

117606, Miscellaneous Services in the Department of Environmental Services. The total of \$540,000 includes \$75,000 for administration and the balance for lot clean up services."

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on Bill No. 40, please.

(REMARKS ON FOLLOWING PAGES)

MR. FERLO'S COMMENTS ON BILL NO. 40-Wednesday, January 24, 1990)

Mr. Ferlo:

This is a very important contract, and I think as many of you will come to find out very quickly, a large percentage of complaints into our office have to do with litter and lots. A lot of this delegated authority and responsibility goes to the independent, nonprofited group, Clean City Committee, which is under the Administration of Director Walker in Environmental Services.

The question I have, Mina, the amount of money actually that we expended last year was greater than \$540,000.00, and two years in a row I have sought to ask Council and the Administration to actually increase that; each time it was denied. But then, in effect, we actually did increase it throughout the year because they, on two occasions, came back and asked for more money. So where are we at on that? Are you actually only going to spend the 540,000 or we actually will reappropriate monies again, as we did consistently for the last two years?

Mr. Walker:

Since Mina is new on the job, I think I should answer that. Last year the reason the request was for more money was because of the long rainy season we had. It rained so long that there was more work required with the growing of weeds and different things. If that would occur again this year, there will be a possibility of asking for more money.

Mr. Ferlo:

The other reason why I wanted to see more money is because I don't think, unfortunately, despite the great work the committee does and they have a great work force, it is still not enough of what needs to be done in terms of the vacant lots. It seemed to me in large measure as I looked at an analysis of lots cleaned that it seemed or appeared to be that the Clean City Committee had enough of a struggle just to maintain the URA lots and contracts for which they are paid, as opposed to all the other problem lots we have with absentee landlords and one thing or another.

So at least my next question, Mina, I realize you are new and it might be unfair to ask you this, but I would ask that you please consider or begin to think about what are the priorities for the Clean City Committee as you prioritize your work force in terms of what lots need to be done.

Ms. Gerall:

To a large degree I can answer that already. The URA contract is very specific, and they are on be a very specific maintenance schedule. Now, in it is known as part of our obligation to them to do snow removal, so that would cut down on the number of lots, but that is really separate. What we have

been doing for the last couple of years is doing actual in the field, on-site inspections of all the property that falls on the city owned and 3TB list with maps.

Mr. Ferlo:

The URA contract, by the way, is in addition to the 540?

Ms. Gerall:

That is a separate amount.

Mr. Ferlo:

How much is that amount, do you know offhand?

Ms. Gerall:

About 285,000.

Mr. Ferlo:

Do you know what inventory of lots they give you? Do you have a rough idea how many lots?

Ms. Gerall:

The number? I honestly don't know. But theirs is very specific.

What we are trying to do with all the non-URA property is do a complete inventory. We have done approximately probably half. We went on-site, updated the maps. We just got the new 1984 maps and we are working with the Real Estate Division to try to get everything updated. What we then do is identify lots that are very public, on main thoroughfares that need to be done on a preventive maintenance basis, and we do those minimum once, some of them more frequently. Hillsides that can go two years, we move those back, and in between, the only way we can clean beyond that is through work orders from the city. So we respond to work orders as they come in, in addition to the priority lots which are on a preventive maintenance basis.

Mr. Ferlo:

The one thing I have always been upset about, it never appeared to me that there was actually an inventory in place and on a computer; there was not a management information system in place. It seemed like lots of human energy has been expended both by Council offices, the Mayor's Complaint Center, Public Works, citizens' groups, you name it, for things that really are routine. Basically, there are a finite number of lots that are out there.

Ms. Gerall:

Finite, but growing.

Mr. Ferlo:

Right, each year they add. Basically, unless there is a turnover in real estate or we get rid of the property, it shouldn't have to extract four or five months of aggravation on everybody's part to do something we know we have to do. At this point, given as long as Clean City Committee has been in operation, at some point if not already, there should be a management information system in place, even if it is just on a small PC. Is that in place?

Ms. Gerall:

It is not completed. We have a program which we have input everything that has been on-site inspected. Now, as we finish this process, at the end everything will be on a computer.

What has also been very helpful is the Mayor's Service Center, because we only can do work by work order. They have done a terrific job of updating all our records across the city as they change hands.

Mr. Ferlo:

Are you connected with the Mayor's Complaint Center to your office?

Ms. Gerall:

We are connected by telephone on a daily basis to update our records as we get information from them, and we will put in requests, if we get a complaint or something, we check with them first. So that is what has been the primary mover in getting this system on line. Also, they are working with the Real Estate Division as they work through their process.

I am not going to tell you what year, but we are all getting closer and closer to having a realistic inventory.

Mr. Ferlo:

So you are telling me that within this budget year of this commitment of 540, we will have that management system in place? At least in terms of computerization of the data, in terms of what lots are out there and some ferreting out of when lots need to be cleaned and some process by which you manage the resources. That is your commitment at this table that will happen this year?

Ms. Gerall:

That will happen this year. I can't tell you that it will be completely accurate, as the county, city, everybody keeps updating information, but the basic program should be.

Mr. Ferlo:

How do you relate your priorities and are you aware of the

priorities and/or the work orders that come out of Public Works? Public Works also involves itself with cleaning hillsides and other kind of cleaning activities. And also, this Council appropriated additional monies to put part time college aged youth, making them available, the monies, in the Public Works budget. The goal is to beef up Public Works' hillsides and main intersections and a lot of stuff that just doesn't seem to happen. Are you meeting with Public Works?

Ms. Gerall:

Public Works has always had a working relationship with Clean City. Clean City will call them out for special assistance with heavy equipment, or if they need help they call our people and they go out. It is an ongoing, regular, everyday operating procedure. And I think Director Gaetano would agree we have never had any problems and we certainly don't anticipate any.

Mr. Ferlo:

Just two last questions, I am sure other Councilmembers have questions.

When will the neighborhood kinds of clean up activities happen?

Ms. Gerall:

As a matter of fact, we are having a meeting tonight with the neighborhood organizations to talk about the big spring clean up.

Mr. Ferlo:

I am interested in doing the one I did again in Lawrenceville.

Ms. Gerall:

Lawrenceville will be at the meeting tonight.

Mr. Ferlo:

That will be in April?

Ms. Gerall:

We have a couple of dates, depending on what you want to do. There has been some interest in trying to get the schools more involved again, so we are having a community meeting tonight. Lawrenceville will be there to talk about exactly what the focus will be.

Mr. Ferlo:

One other issue I raised and ask the Administration to

please consider, I was wondering whether or not we couldn't appropriate some monies to make a reward, a \$5,000.00 reward, where basically -- community groups, as you certainly are aware, are involved in the litter clean up and sort of street clean up and neighborhood clean ups. We haven't really challenged neighborhood groups and/or Boy Scott groups, Girl Scout groups, volunteer groups in the community to actually clean lots. The main emphasis of the Clean City Committee has been on the general street cleaning and all that. I am wondering whether or not we can't institute some kind of reward system. If a neighborhood group knew that if they cleaned more lots in their quadrant than somebody else and they could get a \$5,000.00 reward, I am wondering for the little bit of money that would be whether or not that could be a useful tool to challenge and involve community groups in lot clean up.

Ms. Gerall:

First of all, I think you will be happy to know that I have already met with Director Hayllar and we have talked about how to better involve community organizations in ongoing maintenance in their neighborhoods. So it is on the table, and I think it would be wise for you to talk to him about some of the things we discussed.

Another piece that I have also met with him about, and I am sure Councilwoman Madoff would be happy, too, we are going to try to do another blitz in the spring. As our folks go out and clean vacant property, if there is an abutting property owner, we will start offering them immediately, "Do you want this lot? We will clean it up, get it ready, buy it for some nominal price." Another way to try to bring that list down is try to sell small parcels for virtually no cost to get them back into the public hands.

So that is something we have already started for this year, along with how to get the neighborhoods more involved. I would talk to Ben about it, because he is very enthusiastic, also.

Mr. Ferlo:

Unfortunately -- this is probably better directed at Building Inspection -- there needs to be better enforcement and holding especially absentee landlords accountable for the condition of their lot. Certainly I have been vocal on that issue this last year, and with the new law that we have now enabling Housing Court to place a lien on the property, I know Magistrate Melvin has been instrumental in being a strong advocate on that, but I think you need to remain vigilant on that and bug BBI and everybody else --

Ms. Gerall:

You can be sure that whenever we get a work order from them to clean a private lot that we send in the bills immediately.

Mr. Ferlo:

You agency has more folks in the field and certainly Director Walker has a lot of staff people out, and he knows, I have talked to him a million times, but we really need to use tickets more. We have a ticket tag and Police Department, we may as well get them out there tagging, and getting Building Inspection doing more, and holding people accountable. We have large landlords. For instance, the Giant Eagle on Highland Avenue in East Liberty, they have a terrible track record as it relates to the cleanliness of their property. They are a big employer, it is big business there, they could easily have people go out every day. We have all kind of convenience stores, and I am sure there are others in the city that are a real problem. The city has to be more aggressive at harassing these people to make sure they do clean up.

Ms. Gerall:

Clean City certainly doesn't have any enforcement power, but we on a regular basis turn in --

Mr. Ferlo:

We hire you partly to be the person who is really out there in cleanliness, the watchdog.

Ms. Gerall:

I would say on a regular basis we turn in information to BBI. Yesterday we turned in a major institution in Oakland, we turned in a very serious problem. They went out and cited them immediately.

(Deleted text.)

Mr. Ferlo:

Since we are talking a little bit about enforcement -- and again, some of this is maybe a little bit off the subject from the contract we are awarding Clean City Committee, but I raised this during the budget the debate and I can't see why it can't be done.

There are a finite number of locations around this city where people dump. There are 50 to 100 most popular places where people dump, especially fly by night contractors who dump building materials, and I can name 20 very quickly right now. And given the fact that it is now a \$1,000.00 fine, if not greater -- and we can make it greater possibly locally under Public Nuisance Ordinance or asking our friends in the State House to amend the state statute. Why not, since the Administration has consultant-it is usually anyways, why can't there be on retainer some investigative firm or some type of security outfit, somebody who does investigations, let them do surveillance, let them catch people? If it becomes generally known in the city that you are going to get caught dumping your

building materials, we are going to see a whole different kind of response.

It can be a revenue neutral suggestion, because I think the amount of money that we get in the enforcement from the collection of the fine will pay adequately for some type of professional service contract with a surveillance contract.

Mr. Walker:

Councilman, if I may, we have fined people for dumping. One thing about littering or dumping, you need a witness.

Mr. Ferlo:

I am talking about somebody being there with a video camera in the middle of the night.

Mr. Walker:

Being there with a video camera, you have to know what time they are going to be dumping. We have caught people dumping because we have witnesses or either we could pick some material out of what was dumped and find out who dumped it that way. We have fined them and we will continue to do that. But we have also told the residents in the areas where the dumping seems to be the biggest problem that if they just give us a name or license plate number or something like that, we will follow it up.

Mr. Ferlo:

I understand you have been doing things, I don't dispute that, and I have been a part of many proceedings before the courts where I have gone out and worked with residents or a community group where dumping has taken place. I have an intimate knowledge of the problem.

What I am suggesting is, getting back towards Mr. Cohen's point, maybe a little more pro-active plan where we just try not to follow-up when somebody actually issues a complaint. But again, it is the same argument I used about stolen vehicles always ending up in the 30 or 40 same places around the city to get stripped. Why can't there be surveillance? So I ask the Administration to at least think about that issue. Again, it is revenue neutral. If somebody wants to go out and spend two weeks of energy sitting out there with a video camera in hopes of getting \$1,000.00 fine, reimbursed for the \$1,000.00 fine that will take place, let them worry about this. So I think we should explore other alternatives.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Bill No. 65

A Resolution entitled, "Resolution amending Resolution No. 786, effective October 12, 1989, entitled: 'Providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing and supplying neighborhood street signs throughout the City of Pittsburgh; and providing for the payment of the cost thereof,' by increasing the total allocation by \$575,000.00."

Which was read.

Also,

Bill No. 66

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and installation of two (2) Silos for the Department of Public Works' Asphalt Plant, for storing asphalt the plant is producing; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 182

Report of the Committee on Planning, Housing and Development for January 24, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 43

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for payment of services and expenditures for the activation and implementation of the 'Map Updating and Land Records Management Program' in the Department of City Planning at a cost not to exceed \$230,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 183

Report of the Committee on General Services
for January 24, 1990 transmitting two resolu-
tions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 56

A Resolution entitled, "Resolution providing for
a Contract or Contracts or the use of existing
Contracts to purchase a computerized mapping
and geographic information system (PAGIS)
for the Bureau of Fire and providing for the pay-
ment thereof."

Which was read.

Also,

Bill No. 64

A Resolution entitled, "Resolution amending
Section 4 (1) of Resolution No. 652, effective
July 18, 1980, entitled: 'Authorizing the forma-
tion of a Municipality Authority to be known as
City of Pittsburgh Equipment Leasing Author-
ity, adopting a form of Articles, authorizing the
execution of Articles and the filing with the Sec-
retary of the Commonwealth and appointing

members."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 184

Report of the Committee on Engineering and
Construction for January 24, 1990 transmitting
two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 61

A Resolution entitled, "Resolution further
amending Resolution No. 442, effective June 4,
1987, as amended by Resolution No. 263, effec-

tive April 12, 1988, entitled: 'Providing for a Contract or Contracts for the Rehabilitation of the Swinburne Street Bridge, providing for Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$295,000.00 from \$2,235,000.00 to \$2,530,000.00."

Which was read.

Also,

Bill No. 62

A Resolution entitled, "Resolution further amending Resolution No. 1283, effective January 1, 1986, as amended, entitled: "Resolution adopting and approving the 1986 Capital Budget and the 1986 Community Development Block Grant Program; and approving the 1986 through 1991 Capital Improvement Program," by increasing a line item (EC 86-15)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 188 Resolution approving the appointment of Kurt Salac, 1500 Fallowfield Avenue, Pittsburgh, Pennsylvania 15216, to the Equipment Leasing Authority for an unexpired term to expire December 31, 1991.

Which was read.

Mr. Ferlo moved to approve the appointment.

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't Pro tem)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Kurt Salac was approved.

Also,

No. 189 Resolution appointing Reginald B. Young, 925 Wellesley Road, Pittsburgh, Pennsylvania 15206, to the Housing Authority of the City of Pittsburgh for a term effective immediately and to expire January 1, 1995.

Which was read.

Also,

No. 190 Resolution appointing Kellen McClendon, 6613 Stanton Avenue, Pittsburgh, Pennsylvania 15206, to the Housing Authority of the City of Pittsburgh for a term effective immediately and to expire January 1, 1995.

Which was read.

The Chair:

I'd like to entertain a motion to bring the two in front of Council tomorrow.

Mr. Coyne:

So moved.

Mr. Cohen seconded the motion.

Michelle Madoff:

I would like to cast my vote in favor of them right now. I know them very well.

Mr. Ferlo:

Point of Clarification. I was just going to ask that we approve them and at some point, when it's convenient, bring them in for discussion.

Mr. Darkins:

No. They should come before us first.

The Chair:

All those in favor of bringing them in front of Council tomorrow? Opposed?

WHICH MOTION PREVAILED.

Mr. Coyne:

Mr. Chairman, I'd like to bring something to Council's attention. Back on April 18, 1988, Council passed a bill which required a residency requirement for six City authorities, being the Parking Authority, the Urban Redevelopment Authority, Housing Authority, Water and Sewer Authority, the Stadium Authority and the Equipment Leasing Authority. The original bill was vetoed by Mayor Caliguiri but the veto was overridden on April 19, 1988 and it was to go into effect three months after that date.

So far, and this is almost two years, only the URA, the Water and Sewer Authority and the Equipment Leasing Authority have complied. The Parking Authority, the Housing Authority and the Stadium Authority have not complied with setting up a residency requirement.

The bill says that the Mayor of the City of Pittsburgh and the City Controller shall not countersign any warrant that names as payee any authority defined herein unless the authority has passed a resolution directing the following: all employees and officials of the authority shall be domiciled in the City of Pittsburgh at the time of their initial employment and shall continuously maintain their domicile within the City throughout their term of employment in the City.

I think that Council needs to send letters

not only to these authorities but also to the Controller to remind them of this bill. And I think we need to be more vigilant in making sure that these authorities do come along with a residency requirement.

The Chair:

I agree.

Mr. Ferlo:

Obviously I support Mr. Coyne's concerns, having introduced the bill originally. I will, upon the next meeting of the Housing Authority, when and if there's a Board, introduce a resolution to accept this concern by Council. And I would hope that other Councilmembers who are on other authorities would also do the same.

Michelle Madoff:

In line with what has been said, I would like to point out as a positive that the Mayor has appointed a number of people to the Advisory Committee and they are outstanding appointments. I don't know if they're coming before us, or if they need to, but I know many of the people.

The Chair:

We have a motion on the floor regarding Mr. Coyne's concern.

Michelle Madoff:

I'm getting on to that. While I'm complimenting her on one hand, I'm also suggesting - you pointed out a need with the fact that here we voted in the past and nothing happened - that the Mayor needs to look at all authorities. She needs to take a very hard look and perhaps move to overhaul most of our authorities where they need overhauling and this is just a perfect time.

Do you remember the long hearings and the battles that went on here and we were pushed aside that they'll take care of it themselves? Well here we are over a year later and nothing has happened. I think this points out the need to revamp, relook at all the authorities.

The Chair:

Is there any other discussion on Mr. Coyne's motion in regard to residency requirement? All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. Chairman, three very brief points. I would like to request a report from Director Hayllar, the Finance Director. If we remember, the Mayor made as part of her budget message the concern on the Community Reinvestment Act and she made major policy changes in the City regarding where we deposit the wealth of this City. A lot has been happening in the Finance Department on this issue as they begin to develop a system for having banks compete for the City business, the depository. So, I'd like to ask Director Hayllar to give us an update report on what has happened over the last month.

Secondly, on the issue of video poker machines. I would like a clarification from Director Cannon, the Public Safety Director, on exactly what is in place with the video poker machines. I have been led to believe that some of these video machines were given permits early on in the year and some since his order have not been. And if that is the case, then we have a two-tiered system where some were able to get the permit early on in the year and still have these machines, and others are not able to get the permit and can't use the machines. I mean, if there's going to be a general order to get rid of the machines, then it has to affect the whole class of in-

dividuals in the City who want to have these machines. You can't have gotten to the gate early enough and gotten the permit, and now you're allowed to use the video poker machine.

And secondly, I do think we have to consider refunding money. If we basically took money, knowing very clearly that we were going to ban them, that just is not fair and I think there should be some discussion about that issue. So, I'd like a report from Director Cannon on the issue of the video poker machines and clarifying whether some, indeed, were able to get the permit early on before the general ban. I'd like that in the form of a communication.

My third item, very briefly. I submitted two bills today repealing the \$39,000.00 deduction in the Housing Authority's grant pursuant to debate two weeks ago. Obviously, much has transpired and these bills were submitted as an advocacy statement on behalf of Council regarding what was going on at the Housing Authority. Things have moved very quickly with new appointments, changing of the guard. There really is no reason to maintain the reduction of the \$39,000.00 in the Community Development Block Grant allocation for the Housing Authority. So, those bills will be up for discussion tomorrow.

The events have transpired very quickly at the Housing Authority. I do think the Mayor has shown great leadership in stepping in with the appointments of two very well qualified individuals, Mr. Young and Mr. McClendon.

There is an outstanding issue, and that is tenant representation. I still am very concerned that Mr. Gardner and the other two individuals on that Board immediately resign. I issue that call once again. If not, they will suffer from legal and other kinds of embarrassment that will happen over the next couple of weeks. They need to get off that Board. More importantly,

tenants within the public housing community, and those who are in some way directed with the Authority through the Section 8 program, should have a democratic process by which to be represented on that Housing Authority Board.

So, after these individuals have resigned, I hope that there will be a system in place either with the Metropolitan Tenants Organization or some legitimate tenant group to have representation on the Authority Board. But, in the meantime, these three individual, Petrell, Gardner and Turner have to resign from this Board.

The Chair:

Mr. Perry, has the Mayor sent over the veto on those two bills?

Mr. Perry:

No, sir.

Michelle Madoff:

In line with the subject that Mr. Ferlo has raised, my office is still having on-going dialogue with the HUD Office. We've been speaking to some of Jack Kemp's key people and we're going to be in touch with their Philadelphia office. We faxed a number of newspaper articles that summarized what had transpired here and I've been told that the comments that were made with reference to Mr. Pietragallo bringing more money to our community than other cities is laughable.

And I pointed out to Bill Colbert the other day, I met him in the street, that Dan Pietragallo being kept on as a consultant was laughable in light of the fact that he's now ineffective, having the focus of attention and what has transpired as public information. And he said to me that he agreed, that he hadn't thought of that. Now here is somebody that was essen-

cially getting \$39,000.00, now \$41,000.00, to be a consultant to try and raise \$25 million for us for Broadhead Manor which is in my district and very much in need of that money. I think he would be more detrimental than productive; therefore why you would keep him as a consultant and that nullifies any reason to give him that extra five months' pension. And I think that that money has to be recouped from the pension dollars that he is going to draw out as a lump sum.

That brings me to my next point. I would like to have a hearing before Council within two months to give the Administration sufficient time, and I make this in the form of a motion and I hope someone will second it, but I'd like to request the Administration come to Council and bring the appropriate people that can brief us, this Council, on what County, City, State pensions offer, what the dollar numbers are, how they operate, how they function, and particularly all the authorities. It is beyond my comprehension, I can't even conceive of it, how Mr. Pietragallo, even with 30 years service to the community, is going to receive over \$256,000.00 in a lump sum.

I know that as members of Council, people have left here, either not re-elected or retired or what have you. For example, my pension is going to be, if I were to leave now after 12 years, something like \$6,000.00 a year. Where does he get \$256,000.00? I'd like to understand that. I think the public would like to know that.

I think it's important for another reason. How do we attract good people to government and keep them in government when they're going to think in retirement of eight or six or five thousand dollars? I think anybody with half a brain knows why Dave Matter left, we know why George Jacoby left, why Pellegrini left. They want to support their families. There is not enough money to entice people to stay in office. And I'm not saying that we should raise our pen-

sions; that is the last thing I'm saying, unless we can get Harrisburg to give us some money.

We really need to look at how Mr. Pietragallo got \$256,000.00 in a lump sum. I'd like to understand that and I think we're entitled to do that. So, I respectfully request - and I think the Administration is very interested, I've talked to them about this - briefing this Council in an open session as to how the pensions functions in the Authority, the City, the County, and the State, how they are comparing them. I think it would be very much of an eye-opener and what we need to do in government in general, particularly in the City.

The Chair:

Is your request in the form of a post agenda or a public hearing?

Michelle Madoff:

I think that should be your decision or the Finance Chairman's.

The Chair:

It's your motion.

Michelle Madoff:

The motion is that we bring them here and discuss the issue. I think that's imperative. I don't think I have to set the mechanism.

The Chair:

There's no need to vote on a post agenda; there is for a public hearing.

Michelle Madoff:

I think it might be a public hearing then, don't you? I think it's such a significant issue and

the dollar effect, certainly the Finance Chairman would have some special interest.

The Chair:

There's a motion on the floor to have a public hearing to take a look at the various pension plans in City government and other levels of government.

Michelle Madoff:

The reason I was reluctant to do this, I don't want to turn off the Administration or the County or whatever in coming to brief us. If necessary, I could introduce some legislation that they do that, then they could come in that part of the regular hearing. Maybe that's the better way to do it. I'm just putting the thought that it needs to be discussed before us. If we do the post, nobody knows what happens except those of us that turn up. If we do it as a public hearing, we may be looking like we're throwing down the gauntlet which is not what I'm trying to do. This should be an informational meeting.

So, if it's appropriate, and I need some guidance, would the best procedure be to introduce legislation that Council take a look at this and look at what we want to do, or a study to do it, maybe a study to review? I don't want to put any money into it. It's a very tricky kind of thing. We don't want to turn people off but we want to do it. Do you have any suggestions?

The Chair:

I would suggest we do it in a more informal session, possibly such as the meeting we had with Chuck Kohling last Friday in an open forum.

Michelle Madoff:

Would that be covered by the media? I

want this to be on Cable. I think the taxpayers have a right to know what happened to the money.

The Chair:

Then you need to make a motion for a public hearing.

Michelle Madoff:

So moved.

The Chair:

Is there a second on the motion? Is there a second?

The motion dies due to the lack of a second.

Michelle Madoff:

It won't die because one way or another it will be addressed.

The Chair:

I would suggest a post agenda meeting.

Michelle Madoff:

If you wish to address the subject --

Mr. Ferlo:

Mr. Chairman, I think partly I agree with Michelle that we need to review this whole issue of the City's pension operations as well as its authorities. The first thing I think we need is just general information. I don't think we know alot about our own system within the City side and then I, frankly, don't know anything about how each one of the respected authorities operate, what kind of pension system they have, be it a

private carrier and interaction with a consultant, be they part of the City system or some other State operation that might be available.

So, I think the first thing is just to generally get some background material and I would suggest that Michelle consider asking for a report from our Finance staff. Ask the Finance staff to do some type of a general overview giving to Council some background material on each one of the various pension plans that exist, be it for the Housing Authority or the Parking Authority or be it for the Police, Fire, City retirement side. And then from there, we can have some more information and proceed with some course of action.

Michelle Madoff:

Since it was my motion, that would not make me happy. I think at the very least we should have a post agenda and those who wish to come from the media could be there. I don't want to repeat, with all due respect, what happened in the Housing Authority; "We have our little meetings and we discuss it and we take care of it." I want to do this in a public forum whether it's a post agenda to begin with as an informational gathering, fine. And those who wish to come can come, and those who do not wish to come on Council do not have to come.

The Chair:

I believe what Mr. Ferlo is suggesting is, information first and then a post agenda.

Michelle Madoff:

They won't even know what we want until we have a meeting as a post.

Mr. Coyne:

I agree with the concept that Council-

woman Madoff states; however, I sort of lean with Mr. Ferlo. I think what we need to do is to ask for an explanation from the Housing Authority as to why Mr. Pietragallo is receiving the pension he is receiving. And then give similar circumstances to the City, say you had a director who was making the same amount of money and worked for the same amount of years, what the pension would be with the City and also ask the County to do the same, if they had a director with Mr. Pietragallo's experience and his salary, what the pension would be. Then I think we would have enough figures in front of us to hold the post agenda publicly and let the public listen to it and let the reporters cover it so that we could do some comparing. Right now I think we're just shooting in the dark and I don't think we have enough information to make any valid conclusions. I think we need to gather more information and then compare them and then see what we need to suggest and how we would enact a solution to the problem.

Michelle Madoff:

I don't know if my colleagues were present when I requested the same information on workers' comp. The Administration was absolutely delighted, came in with a stack of information that they wanted to share, that they wish had become a public document. I don't want to get a lot of printed material, a lot of data that I don't know and I can't interact and ask the questions.

I would like a post agenda, I will ask the questions of the Administration, but we need to have the Authorities here, all the representatives of the Authorities who handle this, every Authority. Of course, we wouldn't need the Leasing Authority because they're not pensioned, I don't believe. But anybody that would be subject to pensions, the City, the County, the State, and they may not wish to come; therefore, at that point I could ask our City Administration to look

into a comparative study for us.

The Chair:

Mr. Perry, please schedule a post agenda
based on Councilwoman Madoff's request.

Michelle Madoff:

Not for at least a month, please.

And on the motion of Mr. Coyne

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, February 6, 1990

No. 6

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, February 6, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MICHELLE MADOFF

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

I'd like to ask the Kingsley Association people to come forward, please. This resolution today is for the Kingsley Association for its efforts towards Black History Month.

Mr. Darkins presents

No. 217 WHEREAS, the Kingsley Association was established in 1893 in the City of Pittsburgh; and

WHEREAS, the Kingsley Association provides services primarily to youth under the age of 21 and provides multi-culture learning experiences through education and recreation; and

WHEREAS, the Kingsley Association summer day camp program is accredited by the American Camping Association; and

WHEREAS, the Kingsley Association inspires youngsters to dream, and gives them the means to make their dreams come true; and

WHEREAS, 1990 marks the 10th Anniversary that the Kingsley Association has displayed African American art exhibitions during Black History Month so that many residents can benefit from the glorious history of African heritage.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges the contributions of the Kingsley Association for its efforts towards

Black History Month in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have with us today the President of the Board of the Kingsley Association, Mr. Boyle, and I'd like for him to have some remarks.

Mr. Boyle:

Council President Wagner and other distinguished members of Council, I'm pleased to accept this proclamation on behalf of the Kingsley Association, it's Board of Managers, it's staff, and Dr. Ralph Proctor it's Executive Director who is with us today seated in the audience.

The Kingsley Association is happy to be able to contribute to the increasing awareness and understanding of the African heritage of many of the City's residents through displays of African art and through presentations of African culture. We feel that appreciation and understanding of ethnic diversity, ethnic diversity of our City, are important traits. Ethnic diversity makes our City a more interesting and a more friendly place in which to live.

Kingsley welcomes the continuing support of City government in this and the many programs it offers to young people in East Liberty and in the surrounding communities.

Again, on behalf of all of us at Kingsley, thanks again for your recognition of our work. Thank you.

The Chair:

Thank you.

Mr. Darkins:

Our next resolution is on African American History Month to be presented to Mr. Bobby Sengstacke. Please come forward.

Mr. Darkins presents

No. 218 WHEREAS, the month of February has been set aside for observance of Black History in the United States; and

WHEREAS, the Sengstacke Photo Exhibit, depicting "The 60's in Retrospect, the African-American Experience", will be proudly displayed at the Kingsley Association beginning February 1 through February 28, 1990; and

WHEREAS, these works have been exhibited throughout the country including such prestigious galleries as the Studio Museum in Harlem, the Museum of Science and Industry in Chicago, the Schomburg Center for Research in Black Culture, The Peac Museum and the Sutton Black Heritage Gallery in Houston, and the Tweed Gallery.

NOW, THEREFORE, BE IT RESOLVED, that the Members of City Council, on behalf of the citizens of Pittsburgh, salute the Bobby Sengstacke Historical Art Works and the entire Sengstacke family for their valuable contributions to African-American history through their publications which include: New Pittsburgh Courier, Chicago Defender, Michigan Chronicle and the Tri-State Defender; and

BE IT FURTHER RESOLVED, that the Members of Council hereby recognize month of February as AFRICAN-AMERICAN HISTORY MONTH in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President and my colleagues of Council, I'm so glad today to have Mr. Sengstacke to come. He was here the other night and we were there for the opening of our Black History Month and he flew back to Pittsburgh to be with us today so that I could make this presentation to him. I'd like for you to hear him.

Mr. Sengstacke:

Mr. President, distinguished members of City Council, it's a great pleasure to accept this proclamation. I'd just like to say that the last few days that I've been here, the hospitality and the sincere appreciation that I've experienced from the Pittsburgh community has just been overwhelming and being here today has just put the top on a very memorable experience.

On behalf of my family and employees of the Pittsburgh Courier, I say thank you very much.

The Chair:

Thank you.

Mr. Darkins:

If you'll bear with me, you know this is Black History Month and I'm doing my thing.

Mr. Darkins presents

No. 219 WHEREAS, on Saturday afternoon, February 10, 1990, Cathy Milton will be

honored by the Black Women's Political Crusade at their luncheon fashion show for her journalism excellence and contributions to the community; and

WHEREAS, Cathy Milton has been a positive role model for the African American community for over twenty years; and

WHEREAS, Cathy Milton has shared her talents with the community by sponsoring the Explorer Scouts, a project that encourages young people to pursue the field of communications; and

WHEREAS, Cathy Milton has supported many minority efforts through personal encouragement and forums for exposure; and

WHEREAS, Cathy Milton previously hosted Black Chronicle and Pittsburgh Dialogue and currently hosts City Chronicle, a program that deals with issues and cultural aspects of the African American community; and

WHEREAS, Cathy Milton received numerous awards including the prestigious Golden Quill Award and the Pittsburgh Black Media Federation Award for her series "Prison Gray," and received a national award from the Men's Fashion Association, and local awards from the Poise Foundation and the Leukemia Society.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges the outstanding contributions Cathy Milton has made to the African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

I am just overwhelmed about this particular young lady because I've known her for some years when she started in Pittsburgh and she's a great asset to our community.

I would like to present this resolution to you, Cathy, and also for you to make some comments because you're definitely a real, genuine, fine lady.

Ms. Milton:

Thank you very much. I am embarrassed. We're usually on the other side of the mike doing things like this, but I take this in great humility and I'm very, very honored. I've been up since 4:00; I've been out on a drug raid this morning, I was over with the Mayor, and so I'm sorry that I'm late to be here. But I shall cherish this. Thank you very much.

The Chair:

Thank you.

Mr. Regan:

I'd like to ask the former Light Heavy Weight Champion of the World, Billy Conn, and his son to come up here, please.

I'd like to read this resolution and have it be placed into the Record of the No. 1 City in the United States, Pittsburgh.

Mr. Regan presents

No. 220 WHEREAS, on Wednesday, January 10, 1990 at 2331 Beechwood Boulevard in Pittsburgh, an armed robbery took place at the Uni Mart; and

WHEREAS, Billy Conn was the former

Light Heavy Weight Champion of the World for the years 1931-1941; and

WHEREAS, Billy Conn fought Heavy Weight Champion of the World Joe Louis at a weight of 30 pounds lighter. That night Billy Conn was the greatest fighter in the world, pound for pound; and

WHEREAS, Billy Conn decided to assist Uni Mart by fighting once more. The armed robber wishes he hadn't. Billy and the robber scuffled and fell over a newspaper machine. The robber slipped out of his T-shirt to get away from Billy's grasp. The robber also lost a shoe; and

WHEREAS, Billy Conn, a senior citizen, was treated by the Pittsburgh Paramedics for a scratch and bruises, but his actions led to the arrest of a suspect wanted for the robberies of 2 convenient stores and a gas station. Billy's son later commented that "once a fighter, always a fighter;" and

WHEREAS, Billy Conn is married to Mary Louise Smith Conn, and they are the proud parents of Timothy, Billy Jr., Susan, and Michael, and are grandparents to eight grandchildren.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Billy Conn on the honors he has bestowed on his family and Pittsburgh residents, and we declare Tuesday, February 6, 1990 as Billy Conn Day in the City of Pittsburgh. It could only happen in America.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Billy, I'd like to congratulate you on what you did. You sure as hell don't look like a senior citizen, I'll say that. You look better than half of us in the room.

But I would like to say that the City of Pittsburgh has always been proud of Billy Conn, the former Light Heavy Weight Champion of the World and still the Champ of Pittsburgh. Thank you, Billy.

Mr. Conn:

Thanks very much, ladies and gentlemen. It's a real nice present just being here.

The Chair:

Thank you.

Mr. Ricciardi:

Would Dr. Fred Lorensen and Kevin Altomari please step forward? Dr. Fred Lorensen is the Director of Admissions at Duquesne University and also the Chairperson of the Pittsburgh National College Fair. Kevin Altomari is the Executive Assistant Director of Admissions at the University of Pittsburgh and the Transportation Chairperson of College Fair.

Mr. Ricciardi presents

No. 221 WHEREAS, the City and School District of Pittsburgh have demonstrated a commitment to education which has thrust our community to the forefront of a national movement for excellence in public and private education; and

WHEREAS, the growth and development of our youth is the lifeline of our commu-

nity; and

WHEREAS, having an educated populace and fostering an environment that promotes learning at all levels is important to the long term health of our City and its continued success; and

WHEREAS, local colleges and universities have arranged for institutions from across the country to meet with our young people and their families in the forum of the National Pittsburgh College Fair.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh encourages the residents of this City to participate in this informative program, and declares February 14th and 15th, 1990, as NATIONAL COLLEGE FAIR DAYS in the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Dr. Lorensen:

Mr. Council President, Councilmen, it's my pleasure on behalf of the literally hundreds of volunteers for the National Association of College Admissions Counselors who sponsor this fair to accept this proclamation.

For just a little history, this fair is now in its 17th year. It was formed in 1974. It's one of 26 national fairs given throughout the United States and we're happy to say that it is the second largest fair, even though it's given in cities like New York City and Los Angeles and San Diego and Chicago. I think it's because of the tremendous cooperation of the many sectors of the Pittsburgh community, both on the secondary

level and the higher education level.

Again, on their behalf, I thank you for your support and I'd like to have Kevin say a few words.

Mr. Altomari:

I would just like to add my thanks to Dr. Lorensen's for the gesture today. Since one of my responsibilities is to make sure that a lot of people get there, I'd like to extend an invitation to all of you and your constituents to come on down to the fair on the 14th and 15th of February, take a look at what we have to offer and browse around. If we can be of any assistance, please feel free to see us.

The Chair:

Thank you.

Mr. Cohen presented

No. 191 Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$637.12 for Railroad Flagging expenses incurred during the Rehabilitation of the Swinburne Street Bridge, payable from the Swinburne Street Bridge Trust Fund.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 192 Resolution transferring the aggregate amount of \$300,000.00; \$150,000.00 from Code Account 44, Workman's Compensation, Index Code 004408, to Code Account 1612-4, Salt, Index Code 161240, and the amount of \$150,000.00 from Code Account 1612-5, Rental of Equipment, Index Code 161257 to Code Account 1612-4, Salt, Index Code 161240.

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 193 Resolution adopting Official Sewage Facilities Plan for Riverview Terrace.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 194 Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Act of 1987 - Emergency Shelter Grants Program; and providing for the execution of grant contracts and for the filing of other data; providing for required assurances; providing for execution of contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account. The total amount expected to be received in connection with the program is \$413,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 195 Resolution providing for the issuance of a warrant in favor of Varieties Unlimited, Inc., 100 Rosslyn Road, Carnegie, PA 15106, in the amount of \$2,536.30 in payment for services furnished for the benefit of the City in connection with the purchase of water bill stuffers, chargeable to and payable from Code Account 1922, Miscellaneous Services, Administration Division, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Milllones presented

No. 196 Resolution providing for the issuance of a \$922.50 warrant in favor of Betty Aber in settlement of claim for sidewalk damage by City tree roots at 1103 Macon Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 197 Resolution providing for the issuance of a warrant in the amount of \$1,988.46 to Barbara W. Smith and Howard J. Smith, her husband, c/o Jerome M. Libenson, Lample, Sable, Makoroff & Libenson, 710 Fifth Avenue, Suite 3000, Pittsburgh, PA 15219 in full settlement of a claim for personal injury arising from an accident that occurred on May 18, 1988 on Butler Street, Pittsburgh, PA, payable from Code Account No. 46, Judgments.

Also,

No. 198 Resolution authorizing the Director of Finance and City Controller to establish the Employee Benefits Payment Fund to issue payments and refunds for Employee Health and Group Life Insurance Premiums. The purpose of establishing the fund is to enable the Benefits Office to issue payments, accept payments/deductions and issue refunds that are associated with the administration of the em-

ployee benefits program, such as health, life, vision and dental insurance premiums.

Also,

No. 199 Resolution Repealing Resolution No. 429, approved May 19, 1989, effective May 24, 1989, entitled "Providing the authorization to make periodic transfer of funds to be used for wages and fringe benefits for participant supervision of eligible summer youth of the Pittsburgh Partnership Employment Program, transferring \$75,000.00 from the 1989 CDBG Program, Dept. of Personnel and Civil Service Commission (PC-89-03), to the JTPA-1 Trust Fund."

Also,

No. 200 Resolution further amending Resolution No. 670 of 1989 as amended by Resolution No. 867 of 1989 and Resolution No. 924 of 1989 entitled "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's JTPA Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA) Program, and providing for the payment of the costs thereof," by increasing the amount available for subcontractor agreements by \$26,068.00 from \$227,932.00 to \$254,000.00, chargeable to and payable from the JTPA-3, Trust Fund.

Also,

No. 201 Resolution amending Resolution No. 705 of 1989 entitled "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof," by increasing the amount available for subcontractor agreements by \$70,000.00 from \$255,000.00 to \$325,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 202 Resolution amending Resolution No. 711 of 1989 entitled "Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Initiatives Program Single Point of Contact Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Initiatives Program Single Point of Contact Project; and providing for required assurances," by increasing the amount available for subcontractor agreements by \$60,000.00 from \$1,515,000.00 to \$1,575,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 203 Resolution amending Resolution No. 426 of 1989 entitled "Providing for an Agreement or Agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Pittsburgh Partnership Employment Program and providing for the payment thereof," by enlarging the scope of services to allow for job training activities under the Urban Youth Service Corps and increase the amount of funding by \$75,000.00 from \$525,000.00 to \$600,000.00, chargeable to and payable from the 1989 CDBG Program, Dept. of Personnel and Civil Service Commission (PC-89-02).

Also,

No. 204 Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller in an amount not to exceed \$65,000.00, chargeable to and payable from Code Account 1048, Miscellaneous Services, Department of City Controller.

Also,

No. 205 Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 206 Communication from Michael Perry, City Clerk, submitting the list of names of elected officials, public officials and city employees who attended the State Ethics Seminar, February 1, 1990, in accordance with Section 710 of the Home Rule Charter.

Also,

No. 207 Communication from Michael Perry, City Clerk, submitting the 1989 Fourth Quarter Travel Report for all City Departments.

Also,

No. 208 Communication from Ben Hayllar, Director, Department of Finance, submitting the Defense Spending Report for 1988.

Also,

No. 209 Petition from the residents of Brighton Heights, City of Pittsburgh, requesting a public hearing to discuss the rehabilitation of the Shadeland Avenue Bridge. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Also,

No. 210 Petition from the residents of

the City of Pittsburgh, requesting a public hearing to discuss to road conditions of Penn Circle North, South, East and West in the East Liberty community. This petition is invalid in accordance with Section 320(a).

Also,

No. 211 Petition from the residents of the City of Pittsburgh and North Side Properties, requesting a public hearing to discuss the Housing Authority of Pittsburgh's decision to grant Daniel Pietragallo funds associated with North Side Properties. This petition is invalid in accordance with Section 320(a).

Which were severally read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo presents

No. 89 Resolution supplementing Rule X of the Rules of Council which will provide for informational meetings to be included in the Wednesday Standing Committees Meeting Agenda.

Which was read.

Mr. Ferlo:

I move to hold this bill one week, Mr. Chairman.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair presents

No. 189 Resolution appointing Reginald B. Young, 925 Wellesley Road, Pittsburgh, Pennsylvania 15206, to the Housing Authority

of the City of Pittsburgh for a term effective immediately and to expire January 1, 1995.

Which was read.

Also,

No. 190 Resolution appointing Kellen McClendon, 6613 Stanton Avenue, Pittsburgh, Pennsylvania 15206, to the Housing Authority of the City of Pittsburgh for a term effective immediately and to expire January 1, 1995.

Which was read.

The Chair:

Is there any discussion on the appointments?

And on the question, "Shall the appointments pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointments of Mr. Young and Mr. McClendon were approved.

The Chair:

We do have one additional item under Unfinished Business and they are the vetoes, but I would prefer to hold those until the end be-

cause there are two bills on the agenda that would automatically eliminate the need to vote on these.

REPORTS OF COMMITTEES

Mr. Milllones presented

Bill No. 212

Report of the Committee on Finance for January 31, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 49

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for consulting services to assist the City of Pittsburgh at an aggregate cost not to exceed thirty-thousand dollars (\$30,000.00) chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill No. 49, the \$30,000 annual consultant contract for the hiring of our Legislative Lobbyist in Harrisburg, Mr. Kohling. A year ago there was a lot of controversy on this bill and I voted against the appropriation and at that time one of my major concerns was the potential conflict. I'm not suggesting, necessarily, that there had been a conflict, but the conceivable potential conflict of having a lobbyist working full-time for the City who, at the same time, is working full-time for

the County Commissioners in terms of what their legislative agenda was and is, and certainly there's room for potential conflict as it relates to tax policy questions.

Also, the gentleman, Mr. Kohling, I believe represents the Port Authority and the URA. There was a lot of discussion and debate at that time. Since that last contract, Mr. Kohling has been working. Things have changed to some extent. The Administration has pretty much committed the resources and energies and expertise of Mr. Georgetti who was assigned to the Law Department who basically acts as a Legislative Lobbyist in Harrisburg for the City and the Administration. That begins to address one of the major concerns that I have.

I was very impressed with the presentation that Mr. Kohling made a week and a half ago at your request, Mr. Wagner. I thought he gave a very well-rounded assessment and it's very clear that we get a lot of bang for the buck. For the \$30,000 I was very impressed that whatever reservations or concerns I have about the potential conflict with the presence of Mr. Georgetti, and looking at the track record specifically of Mr. Kohling, and looking at the legislative round table that we reviewed, I would say that the City's very well positioned to do well in this coming year on the number of legislative items including least of which is the major tax policy issues that will be addressed in Harrisburg.

So, since there was no discussion at the Committee Meeting, I just want clarify my change of attitude and I would ask that yourself, as President of Council, convene or please consider convening a quarterly meeting with Mr. Kohling. I thought the meeting that we had was very informative and a lot of good dialogue and I certainly got educated on a number of legislative issues. And I would ask that, in approving this today, that you establish some mechanism for whatever you feel appropriate but at least a min-

imum quarterly review, meeting update, whatever you want to call it, with Mr. Kohling.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 69

A Resolution entitled, "Resolution providing for the issuance of a \$825.00 warrant in favor of Anna Halloran in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 71

A Resolution entitled, "Resolution providing for the issuance of a \$2,077.38 warrant in favor of

William J. Novak in settlement of claim for vehicle damage by an Environmental Services vehicle."

Which was read.

Also,

Bill No. 72

A Resolution entitled, "Resolution providing for the issuance of a \$5,515.99 warrant in favor of Lobel, Winthrop & Broker, Brinderson Plaza-Tower 1-Suite 1100, 19800 MacArthur Boulevard, P.O. Box 19588, Irvine, CA 92713, in payment of a monthly bill for the hiring of counsel to assist in the representation of the City of Pittsburgh in the case of John Robert Torquato, Jr., Debtor; City of Pittsburgh, Movant v. John Robert Torquato, Jr., Respondent, filed in the United States Bankruptcy Court for the Central District of California at No. SA89-05008 Jr, providing for the payment of cost thereof."

Which was read.

Mr. Ferlo:

On Bill No. 72, this concerns a payment of \$5,500 plus to a California law firm. This involves the unsettled dispute with the City, with Mr. Torquato and the year's past lawsuit, the famous CTA scandal and I would like my comments brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 72, WEDNESDAY, 1/31/90)

Mr. Ferlo:

Mr. Specter, this came up last year and Mr. Pellegrini talked a little bit about our initial engagement which involved the so called CTA scandal of many years ago. This initial payment, it implies that this is an initial payment, what is the anticipated relationship that we will have with this law firm as it relates to total expenses?

Mr. Specter:

At the moment -- that's a very good question and one which has me equally concerned.

As a result of this bill, which I recognize is several hundred dollars in excess of the approval given by Council in December, I began to study this matter and frankly we are now in the process, and I discussed it Mary Conturo just this morning, of reviewing the entire matter to determine whether in fact we ought to continue to proceed with this case.

Mr. Ferlo:

That was going to get to my next question. The reason why I don't think you should do that -- it's my understanding that there's a bankruptcy relationship of Mr. Torquato in the California courts and if that is the case and obviously I'm not an attorney but you can educate me on these issues, that there's no light at the end of this tunnel. I don't mind going after somebody if we can get something out of it but why spend upwards of \$40,000.00 and greater for some equal return and then face a Bankruptcy Court of a gentleman and you're not going to get anything so what's the point of this?

Mr. Specter:

I agree with you and that's why I caused a review to be initiated, in fact I conducted a basic review myself.

What I have asked our counsel in California to do was to withhold providing any further services and to ask the Court to defer any proceedings until we've had a chance to review the schedules that are required to be filed by Mr. Torquato. Those are schedules in which he's required to state under oath what his assets are and that sort of thing. I understand that they were just filed recently; he was long overdue, and upon review of those schedules, if we conclude that there is simply no sense in spending an excessive amount of funds to get a judgment which may never be collectible, then I would come up here --

Mr. Ferlo:

-- so until this economic impact statement is done we're not going to proceed incurring any greater debt.

Mr. Specter:

Let me say this and I have to be very frank with you. We have received an additional bill which is not part of this request and that bill is in excess of \$4,000.00 and when I heard about that bill being in process, it was prior to having received it, then that's when I initiated the review. I think that in light of that, the fact that we have now, our department may be required to come up here someday and ask for an additional \$4000.00, I have expedited the review. I've also asked our counsel and I'm being somewhat repetitious, to ask the Court formally if necessary by motion to defer any proceeding so that they will not run up another nickel of costs other than to Xerox the schedules and send them to us for our review.

Mr. Ferlo:

Already being \$9,000.00 in, I don't mind a couple thousand more just to get this financial information that you suggest but you also raised another issue and this has been a repeated debate between the Administration and Council and there have been many fights in the past and that is the incurring of these debts prior to approval, so please keep in mind that there is no authorization for that \$4,000.00 and there will obviously be a situation once again where Council will have to approve it since it's already expended and we'll be held legally accountable for it.

But just to reiterate, the Administration and certainly the Solicitor does not have the power to do this retroactively. Please inform Ms. Conturo of that relationship once again.

Mr. Specter:

You are absolutely right and I want you to know that when we retain counsel, we advise them of the fact that the limitation was \$5,000.00 and they knew that. They were between the proverbial rock and a hard place in that here was the Court scheduling things and here were we on the other hand saying you're limited to \$5,000.00 and they took a chance.

Mr. Ferlo:

It may be and certainly it looks like we should pay that \$4,000.00 but I'm just saying to reiterate, especially since we have a new solicitor, a long-standing bone of contention. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

Mr. Ferlo:

I'm voting obviously to pay for this bill since we already incurred the expense but I have two concerns; one, there's already an addition \$4,000 that's been occurred for this California law firm without approval of this Council and I want to reiterate, especially since we have a new Solicitor, that that is not appropriate, that there is no expenditure without the advise and consent and approval of Council unless there's really some extraordinary emergency reason for payment and we have a mechanism in place to seek interim approval. So, I want to raise that concern so that we're not off in the future of this year because I can see where if you set this as precedent we can engage ourselves in costly legal battles without getting approval of Council.

So, in approving this today, and obviously approving what most likely come to us shortly as an additional \$4,000 payment, I hope no one is getting the idea from the Administration that we now have given up our approval process on the issue of these expenditures.

I would again ask for that legal opinion that I've asked for from Mr. Specter and Ms. Conturo requested at the last meeting, and that is, an assessment as to whether or not we want to drop this case, given the circumstances which I have been led to believe this individual is in bankruptcy court and it's a question of whether or not we would actually see any light at the end of the tunnel, whether or not we would actually get any money back from the \$10,000 investment we're making with this lawsuit. So, by the next meeting, I would like to please ask for that assessment from Ms. Conturo on this issue. It's a lawsuit. Thank you.

The Chair:

Mr. Specter is here and I'm sure he heard your request for an opinion.

Mr. Ferlo:

Thank you.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Millions
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 73

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 74

A Resolution entitled, "Resolution providing for a Contract or Contracts or to use existing Contracts for the furnishing, delivery and installation of one new Optical Mark Reader (Scanner) to the Department of Personnel and Civil Service Commission and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 75

A Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department

of Personnel and Civil Service Commission's 1990 written, performance and promotional examinations administered by the Department of Personnel and Civil Service Commission and providing for the payments thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 76

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 77

A Resolution entitled, "Resolution authorizing a warrant in the amount of \$1,553.48 in favor of John J. Buckley, Jr., 188 Richbarn Street, Pittsburgh, PA 15212, for professional services rendered to Council in the preparation of Council's 1990 Operating Budget." ---**(SPONSORED BY MR. WAGNER)**
Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 213

Report of the Committee on Planning, Housing and Development for January 31, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 92

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Westside Community Development Corporation for administrative assistance in an amount not to exceed \$23,460.00."

Which was read.

Also,

Bill No. 93

A Resolution entitled, "Resolution Repealing Bill No. 42, passed in Council January 23, 1990 entitled: "Resolution amending Resolution No. 1061, effective January 1, 1990, entitled,

'Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program', by increasing line item CP-468, Hunger Services Pittsburgh Community Services by \$39,000.00, from \$150,000.00 to \$189,000.00, Controller's No. 04-35-05-5530."

---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 94

A Resolution entitled, "Resolution Repealing Bill No. 41, passed in Council January 23, 1990 entitled: 'Resolution amending Resolution No. 1061, effective January 1, 1990, entitled, 'Adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program', by decreasing line item HA-345, Rehabilitation and Modernization of Housing for Low and Moderate Income Families, by \$39,000.00, from \$1,510,000.00 to \$1,471,000.00, Controller's No. 04-55-01-0001." ---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 144

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hunger Services Network for the provision of administrative assistance in carrying out hunger related programs of the 'Hunger Task Force' in an amount not to exceed \$10,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 172

A Resolution entitled, "Resolution approving the Steel Valley Authority's acquiring and holding of land, buildings, machinery and equipment, located on the site of the LTV Pittsburgh Works in the 16th Ward of the City of Pittsburgh, which the Authority deems necessary or convenient for the creation of an industrial development project on the site."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

Mr. Ricciardi moved to recommit Bill No. 172.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Mr. Coyne presented

Bill No. 214

Report of the Committee on General Services for January 31, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 67

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts or for use existing Contracts for the furnishing and delivery of refuse containers for the Department of Environmental Services, Code Account No. 1175, Index Code No. 117507, and for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 215

Report of the Committee on Parks and Recreation for January 31, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 95

A Resolution entitled, "Resolution providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on February 7, 1990, in support of House Bill 700, The Medicare Overcharge Measure (MOM), at a cost not to exceed \$1,500.00, payable from Code Account No. 1001-1, Miscellaneous Services, Supplies and Equipment, (Index Code 100115)." --- (SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 216

Report of the Committee on Engineering and
Construction for January 31, 1990 transmitting
one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 63

A Resolution entitled, "Resolution further
amending Resolution No. 50, effective 2/3/87,
as amended by Resolution No. 981, effective
12/11/87, entitled: 'Providing for a Cooperation
Agreement or Agreements with The Carnegie,
for design and construction of the Relocation of
North Shore Drive thru a portion of Stadium
Parking Lot #1, and the demolition and removal
of an existing section of said Drive; providing
for a Reimbursement Agreement or Agreements
with the Commonwealth of Pennsylvania and/or
the Department of Transportation; and provid-
ing for the payment of the costs thereof,' by in-
creasing the total project allocation by
\$10,000.00 from \$1,250,000.00 to
\$1,260,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

REPORTS OF SUB-COMMITTEES

The Chair:

Under Reports of Special Committees, I
just simply want to state that the Mayor's veto
will stand simply by us not acting on it due to the
fact that we repealed Bill Nos. 93 and 94.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President, just very briefly. Tomor-
row I will not be in session; I'm attending a leg-
islative lobbying effort in Harrisburg. As you
know, we approved today an expenditure of
about \$1,500 for two buses, chartered buses.
This will provide an opportunity for about 80
residents, primarily older individuals here in the
community, to participate in a lobbying effort
tomorrow and a press conference and a public
hearing before the State Senate, chaired by Sen-

ator Peterson, on the MOM legislation, the Medicare Overcharge Measure, House Bill 700.

I just want to thank Celeste Clyde from the Citiparks Advocacy Council for helping to coordinate the buses. Councilman Coyne is also attending and I believe Mr. Allen from Councilman Darkins' office is attending the legislative lobbying effort.

Again, we have a really good opportunity to get this bill passed in the State House and I apologize for not being here tomorrow.

Mr. Coyne moved to approve the Minutes of Tuesday, January 16, 1990 and Tuesday, Jan-

uary 23, 1990.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo moved to excuse Michelle Madoff for absence from the meeting.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of Mr. Regan

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, February 13, 1990

No. 7

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA

Tuesday, February 13, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

I would like Mr. Dan Haller to please step forward. Mr. Haller and the Neighborhood Legal Services requested yesterday the urgency of this resolution.

The Chair presents

No. 293 WHEREAS, the recently announced funding cut by Legal Services Corporation, a federal agency, of 1.4 million dollars to Neighborhood Legal Services Association will result in a devastating withdrawal of legal services to the poor citizens of Pittsburgh and the four county areas served by NLSA; and

WHEREAS, the loss of legal services will cause irreparable harm to those poor people and will jeopardize pending and potential litigation; and

WHEREAS, there exists no alternative resource immediately available to provide these services now being provided for by Neighborhood Legal Services Association; and

WHEREAS, Neighborhood Legal Services Association's funding by Legal Services Corporation has been terminated without prior notice, without any attempt to determine if a resolution could be negotiated, and without any due process hearing or procedure of any type.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports Neighborhood Legal Services Association's opposition to the funding cut-off

and any reasonable efforts by Neighborhood Legal Services Association to use the legal system to effect a change in this decision.

Mr Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

Mr. Haller, I understand, number one, you have something going on, some other news conference at this time, and we're pleased to have you here in Council. Would you please say a few words to support the resolution?

Mr. Haller:

We're most gratified at Legal Services for your support. We try to do a good job to represent the poor and, as many of you know, they're your constituents, many of them. As a matter of fact, we've had a number of people who never thought that they'd cross our threshold. But, as a result of the economic downturns that occurred in this City and in this region through the last ten years, we've seen many people who never, ever thought that they'd have to come to us for services. I've represented many of them myself in the mortgage foreclosure area.

So, we appreciate your support. We try to be good and conscientious members of the community, the legal community, and to work hard for our clients. We felt that this was sort of an ambush that had occurred and we certainly appreciate all of the support that we've gotten from not only this body but our representatives and senators as well. Thank you all very much.

Michelle Madoff:

What is your annual budget?

Mr. Haller:

I don't know that. I'm just one of the staff attorneys.

Mr. Ferlo:

One point six in federal funds.

Michelle Madoff:

Are there any matching funds locally? I was wondering if you ever applied to Council during budget time for some funding and if we've been a supporter. I believe we have.

Mr. Haller:

You did.

Michelle Madoff:

I thought we gave you some money.

Mr. Haller:

Mr. Ferlo, I think, has an answer. I have the answer too, but maybe --

Michelle Madoff:

I thought that had happened, that we had supported you. Do you have any money to get you through this interim?

Mr. Haller:

Yes, we do. Actually, the funding, there was an emergency. We were put on the agenda of the Legal Services Corporation yesterday in Washington. One of the members of our Board, Bob Summer, as well as our Director, spoke at that meeting. We were restored yesterday, but it's the kind of overwhelming support that we get

from people like yourselves that really made that happen. It didn't happen in a vacuum.

Michelle Madoff:

Nothing does.

Mr. Haller:

That's right. But to answer your question, we did receive \$10,000 from Council and that is to be applied towards a support project. As you probably know, the Regan Administration, when it came in, had an agenda to just dissolve legal services. They put us in every year except the last year of his presidency; we thought that was an oversight on Ed Meese's part, but nevertheless, we were put in every year at a zero budget. And the people who were put in as members of the corporation were really put there to dissolve the corporation. It was Congress who kept restoring the monies but never at the level that we had been. So, we're cut way back.

Michelle Madoff:

I just wanted to be sure that if there was anything we could do as Council to expedite even that \$10,000 as an interim drawdown, sort of trade off dollars, is there anything to help you stay in business.

Mr. Ferlo:

Mr. Wagner, first of all, thank you for introducing the resolution. As a follow up, as you just indicated, Mr. Hallard, it's my understanding that at today's press conference you will announce the fact that the national NLS Board institute a 60 day cooling off period and basically will maintain the funding during this period. However, it's possible and probable that the local NLS and/or the collective bargaining unit that represents the Legal Services workers

will probably have to initiate litigation on this issue.

So, I have really two concerns. One is that our resolution be forwarded to the National Legal Services Board of Directors themselves. And secondly, if, indeed, there is litigation on the part of the NLS Corporation locally, I think, Mr. Wagner, we should at least refer this issue to the Solicitor to see if the City as a municipality can enter a friend of the court brief on behalf of the issue.

Mr. Haller:

We would appreciate that very much.

Michelle Madoff:

Is that a motion? I'll second it.

Mr. Ferlo:

I'll make it in the form of a motion.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Thank you all very much.

The next resolution to be introduced pertains to Brashear High School Vocational Educational Day which will be officially one week from today. I would like to ask the following people to please step forward for the resolution: Mr. Robert Nickolas, the Principal of Brashear High School; Mr. Joe Poerio the Assistant Director of OVT Programs for the Pittsburgh Public Schools. And the others that are here also today: John Groetsch; Al Ulrich, Technical Supervisor, Jan Ripper, Home Economics Supervisor, Ann Erikson, Business Supervisor; John

Masilunas, TV Production at Brashear; Nick Sarno, Technical at Brashear; Earline Henderson, Home Economics at Brashear; and Jim White in Business at Brashear; and Brandon White, a student at Brashear. Please step forward.

I'm sure one Councilmember, Mr. Milliones, is very familiar with what this resolution is all about.

Mr. Milliones:

It's nice to see this esteemed Council recognizing the Pittsburgh Public Schools in a positive way.

The Chair presents

No. 294 WHEREAS, the progress and well-being of the students of John A. Brashear High School depend to a great extent upon education and training for employment as provided in the school systems of this State; and

WHEREAS, profound sociological, economic and technological changes in our society are bringing about rapid changes in the structure and nature of the Pittsburgh community, thereby placing new and additional responsibilities on the Pittsburgh Public School System; and

WHEREAS, the Congress of the United States, the Legislature of the State of Pennsylvania and the Pittsburgh Board of Public Education have recognized these problems and have acted upon them through appropriate legislation; and

WHEREAS, the professional contributions of Mr. Robert C. Nicklos, the Principal of John A. Brashear High School, have assisted the students of Brashear High in the process of preparation for employment.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Robert C. Nicklos, Principal of Brashear High School, for his contributions to the success and achievements made by the Administration, Faculty and students of the John A. Brashear High School Vocational Education Department; and

BE IT FURTHER RESOLVED, that Wednesday, February 21, 1990 be known as John A. Brashear High School Vocational Education Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

I will be attending this session next Wednesday and look very much forward to it. I'm very pleased that all these people could join us today in Council, Mr. Nickolas, Mr. Poerio who is a friend of mine for many years. It's an honor to have you here. I'm sure Mr. Nickolas would like to say a few words.

Mr. Nickolas:

Thank you. On behalf of the Pittsburgh Public School system in general and the Brashear High School staff and the occupational, vocational, technical staff of the Pittsburgh Public School system, we would like to thank you for honoring us this day as we look at Vocational Education Week.

Yesterday in the newspaper it talked about several billion dollars of construction taking place in Allegheny County and general Pittsburgh specifically and one thing that was

disturbing and alarming was the fact that we have to go outside of even the State of Pennsylvania to get many people to come in. So, we're trying to look at vocational education as being a viable position of the Pittsburgh Public School system in our training of students along with going to college in order to become contributing members of the Society. And, hopefully, by the time all of the students who are here start coming out of school and becoming involved in our community, that we will no longer have to go outside of Pittsburgh to spend some of this money that you have in the construction activities.

I've asked one of our students, Brandon White, to say a few words. Brandon is a 12th grade student at Brashear High School in one of our vocational and technical programs.

Mr. White:

Thank you. Vocational education has really enhanced my decision for my choice of careers. And now that I have chosen my career, Business Management, with the knowledge I've gained particularly from Marketing Education, I feel I could go on to become a business manager. And maybe one day I'll host many of you in my business, many people will come to my business so I can give you some of the things that you've given me. I'd just like to thank you.

Mr. Nickolas:

I would also like to take this opportunity to invite those of you who sit on Council to visit the school one time. Dr. Milliones has been there. The Honorable Jack Wagner has been there on various occasions; in fact, he's coming again on the 21st. So, if you can fit that into your schedule, why don't you visit him. Also, the Bishop Duane Darkins has visited us on occasion. And Michelle has been a speaker there. Baldy has been around there also. But there are a

few of you who have not been there yet. We sit right on Crane Avenue to the right of the Liberty Tunnels, and it's easy to get there. Five minutes from here, so you can even come up during one of the Council meetings that are brief.

Mr. Darkins:

Being that this is Black History Month, it's been a part of this City Council that we acknowledge those in the City of Pittsburgh.

Mr. Darkins presents

No. 295 WHEREAS, Connie Portis owns the largest black-owned publishing company in Western Pennsylvania; and

WHEREAS, Renaissance Too Magazine and the Pittsburgh Renaissance News (formerly The Homewood-Brushton News) reaches over 60,000 readers in the greater Pittsburgh area; and

WHEREAS, the publication's philosophy is "Blacks helping Blacks" reach for the good life by printing stories that reveal African American contributions to the City of Pittsburgh; and

WHEREAS, Renaissance Too Magazine is the only publication about blacks in Pittsburgh that is available on the newsstands and by subscription; and

WHEREAS, the Pittsburgh Renaissance News is a free newspaper distributed to many schools and churches in the Greater Pittsburgh community; and

WHEREAS, Connie Portis encourages blacks to share and grow with each other by sponsoring a monthly "People to People" event; and

WHEREAS, in 1986 Connie Portis gave birth to Black Extravaganza, an annual gala event that recognizes pathfinders - those who have paved the way in areas that were closed to earlier generations of African Americans and, to date, over 40 trailblazer awards have been presented to elder citizens and community leaders; and

WHEREAS, in 1987 Ms. Portis established a scholarship fund in honor of Hazel Garland and Neil Goode, the first scholarship being awarded to a black youth pursuing a communications career in 1989; and

WHEREAS, Connie Portis has been the recipient of numerous awards including The Champions Association Inc., Business Womens Award 1989, Kaufmanns Triangle Corner, L.T.D. Entrepreneur 1989, Black Womens Political Crusade Journalism and Community Service Award 1988, and IOTA PHI LAMBA Sorority Women of the Year Award 1987.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Ms. Connie Portis for her major contributions to the City of Pittsburgh's African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Portis:

I just want to say that it's extremely gratifying during Black History Month that Council recognizes the value of African Americans in the City of Pittsburgh. And it is really nice to see the new complexion of Council. I must say that it is so gratifying because, in my voting history, this is the first time that Council was elected by

district and it is for that reason that I can say thank you, especially to the two Blacks, the African Americans who represent, who were voted from communities that represent the majority of the 24 percent of Africans of the population in Pittsburgh which is African American. It's extremely gratifying. Thank you so much.

Mr. Darkins presents

No. 296 WHEREAS, the Pittsburgh Black Media Federation was established in 1973 as a not-for-profit organization; and

WHEREAS, the Pittsburgh Black Media Federation provides a forum for black media professionals, persons responsible for the dissemination of information, and for young persons interested in the communications field; and

WHEREAS, the Pittsburgh Black Media Federation designs and sponsors Urban Journalism workshops for high school students each year; and

WHEREAS, the Robert L. Vann Awards Dinners is held each year to honor excellence in journalism in the coverage of the black community in Western Pennsylvania and pays tribute to an outstanding citizen for distinguished work in the black community; and

WHEREAS, proceeds from this dinner assist in awarding scholarships to high school seniors who have demonstrated interest in the field of communications and who have been accepted to an accredited institution.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Black Media Federation for their positive influence and generous contributions to the African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Dyer:

On behalf of the Black Media Federation, I'd like to accept this award. The Federation is an organization that believes in reaching back into the Black community and, as Connie mentioned, it's very gratifying that this City and Councilman Darkins has chosen to recognize us. Thank you.

Mr. Darkins presents

No. 297 WHEREAS, the Rodman Street Missionary Baptist Church will honor Mrs. Leola G. Bowick at an Appreciation Day on Sunday, February 11, 1990 at 4:30 P.M. for her dedicated service; and

WHEREAS, Mrs. Leola G. Bowick has faithfully served the Rodman Street Church and her community for over 30 years with prayers, dedication and concern for the betterment of mankind; and

WHEREAS, Mrs. Bowick has positively influenced the young members of Rodman by her teaching of Sunday School for a number of years; and

WHEREAS Mrs. Bowick is active on numerous committees, including Church Women United serving as President, as a member of the Women's Service Committee, and as a Board Member of LOTT Carey at the Foreign Mission Convention; and

WHEREAS, Mrs. Bowick has also served as a volunteer at the Forbes Hospital for

over 25 years and was honored as Volunteer of the Year in 1978.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges and thanks Mrs. Leola G. Bowick for her contributions to the residents of the City of Pittsburgh and especially to the African American community.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 298 WHEREAS, Urban Communication Services is a Pittsburgh based business designed to promote African American culture; and

WHEREAS, Luther J. Sewell, Jr. is President and Founder of Urban Communication Services; and

WHEREAS, U.C.S. specializes in creating and producing effective communications to the general market and special markets, and has served the Pittsburgh area for over 28 years; and

WHEREAS, Luther Sewell Jr. participates in various community activities, including that of Member of the American Marketing Association and the Board of Directors of Carebreakers, and former Board Member of Goodwill Industries, the Mendelssohn Choir, and the Pittsburgh Chapter of the NAACP; and

WHEREAS, Luther Sewell, Jr. has received numerous honors throughout his career, including Businessman of the Year, Hand n Hand Martin Luther King Award, Red Cross Volunteer Award, YMCA Black Achievers

Award, and many other recognitions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Luther J. Sewell, Jr. for his successful business career in the Pittsburgh community, and acknowledges his steadfast commitment to the African American community.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen for Mr. Coyne presented

No. 222 Resolution providing for an Agreement or Agreements or for the use of existing Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1990 until December 31, 1990, to perform various energy related services for the Department of General Services at a cost not to exceed \$20,000.00, payable from Code Account 1134, Miscellaneous Services, Department of General Services.

Also,

No. 223 Resolution providing for a Professional Services Agreement or Agreements or for the use of existing Agreements for the purchase of fuel for City owned vehicles at a cost not to exceed \$625,000.00, chargeable to and payable from Code Account 1144, Gasoline and Diesel Oil, Department of General Services.

Also,

No. 224 Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements, or for the use of existing Contract(s) or Agreement(s) for the reha-

bilitation of the Fuel Island at the City Garage Facility, Department of General Services at a cost not to exceed \$400,000.00, chargeable to and payable from Capital Project Fund (1989 Project Fund), Fuel Island Rehabilitation, Department of General Services.

Also,

No. 225 Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building at a cost not to exceed \$1,015,000.00, chargeable to and payable from Capital Account 3-30-01-0010-90 (1989 Project Fund), Retrofit of Public Safety Building, Department of General Services.

Also,

No. 226 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various energy conservation projects for the Department of General Services at a cost not to exceed \$190,000.00, chargeable to and payable from Capital Account 3-30-01-0004-90 (1989 Project Fund), Energy Conservation Improvements for Public Buildings, Department of General Services.

Also,

No. 227 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing contracts, for various repairs and renovations to City facilities at a cost not to exceed \$200,000.00, chargeable to and payable from Capital Account 3-30-01-0003-90 (1989 Project Fund), Bureau of Repairs & Operating Maintenance, Department of General Services.

Also,

No. 228 Resolution authorizing and directing the Director of the Department of General Services to convey to the Borough of Crafton Volunteer Fire Department a Seagrave motor at a cost of One (\$1.00) Dollar.

Also,

No. 229 Resolution amending Resolution No. 500, effective June 23, 1989, entitled, "Providing for the letting of a Contract or Contracts for the furnishing and delivery of motorized fire equipment for the Department of General Services, and providing for the payment thereof," by increasing the total project allocation by \$660,000.00 from \$1,302,000.00 to \$1,962,000.00, chargeable to and payable from Capital Project Fund 3-30-01-0002-90 (1989 Project Fund), Fire Department Pump and Ladder Trucks, Department of General Services.

Also,

No. 230 Resolution amending Resolution No. 1045, effective December 29, 1989, entitled, "Providing for the letting of a Contract or Contracts for the furnishing and delivery of tractors and attachments and providing for the payment thereof," by increasing the project allocation by \$107,000.00 from \$193,000.00 to \$300,000.00, chargeable to and payable from Capital Project Fund (Bond Fund) (GS86-04), Miscellaneous Equipment, Department of General Services.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 231 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the paving of various streets

throughout the City using a cold laid latex modified emulsion asphalt at a cost not to exceed \$140,286.59, chargeable to and payable from Code Account PW 89-01, Citywide Resurfacing Program.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 232 Resolution granting Cardio-Thoracic Surgical Assoc. Inc., their successors and assigns, the privilege and license to construct, maintain and use, at their own cost and expense, a foundation for veneer and vegetation on a portion of the Right-of-Way of North Avenue and Tripoli St. in the 23rd Ward of the City of Pittsburgh. This request is made by the Architects for the building because of the renovation to their building at 621 North Avenue. The additional space is required.

Also,

No. 233 Resolution granting Eldevco Associates of 5947 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an electrical vault on a portion of the sidewalk of Penn Avenue in the 12th Ward, 9th District of the City of Pittsburgh. This request is made by Eldevco Associates because of the remodeling of the building, the larger electrical vault is required.

Also,

No. 234 Resolution vacating 38th Street between Liberty Avenue and Ewing Street in the 6th Ward of the City of Pittsburgh. The Department of Finance recommended a fee of \$11,150.00 be charged for the vacation.

Also,

No. 235 Resolution vacating Pride Street from Locust Street southwardly 48-feet to its terminus and also reserving the 8-inch water line and 20-inch sewer line in the 1st Ward of the City of Pittsburgh. The Department of Finance recommended a fee of \$13,970.00 be charged for the vacation.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 236 Resolution providing for an Agreement or Agreements with the Historical Society of Western PA for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 237 Resolution providing for an Agreement or Agreements with Tri-State Conference on Steel for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 238 Resolution providing for an Agreement or Agreements with the Welfare Rights Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 239 Resolution providing for an Agreement or Agreements with the Project "90", Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$7,858.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 240 Resolution providing for an Agreement or Agreements with Vintage, Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 241 Resolution providing for an Agreement or Agreements with the Steel Valley Authority for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and Allegheny County at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 242 Resolution providing for an Agreement or Agreements with the Pittsburgh Literacy Initiative for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and Allegheny County at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 243 Resolution providing for an Agreement or Agreements with Neighborhood Housing Services, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and Allegheny County at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 244 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for developing a "complete count census program" to include, but not be limited to promotion, advertisement, outreach, printing, and other related census activities at a cost not to exceed \$20,000.00.

Also,

No. 245 Resolution providing for the participation in and the support of the City of Pittsburgh in a study to determine the feasibility of a regional Heritage Park in Southwestern Pennsylvania.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 246 Resolution providing for the is-

suance of a \$810.00 warrant in favor of David and Rochelle Gossar in settlement of claim for sidewalk damage by City tree roots at 5845 Mariborough Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 247 Resolution amending and supplementing Resolution No. 1059 of 1989, effective January 1, 1990 entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1990, by making certain additions and corrections.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 248 Resolution amending and supplementing Resolution No. 1060 of 1989, effective January 1, 1990 entitled: Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, by making certain additions and corrections.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 249 Resolution providing for an Agreement or Agreements with Mercer-Meidinger-Hanson, Inc. to provide professional consulting services for the pension funds of the City of Pittsburgh; and providing for the receipt and transfer of reimbursements from the Comprehensive Municipal Pension Trust Fund. The Controller is directed to transfer these reimbursements when made to Code Account 1063, Miscellaneous Services, Department of Finance.

Also,

No. 250 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 251 Resolution amending Resolution No. 1037, effective November 14, 1986, entitled, "Authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$75,000.00 from Code Account PR86-02, 4-10-10-0002-86, Index Code 320895 in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100," by decreasing the cost.

Also,

No. 252 Resolution transferring \$374,265.00 from Code Account 1843, Senior Citizens Program, Index Code 184309 to the Senior Citizens Program Trust Fund, SCPTF, Index Code 254250, in the Department of Parks and Recreation. This transfer is necessary to pay salaries and leases in connection with the Senior Citizen's Program.

Which were read and referred to the Committee on Finance.

Also,

No. 253 Resolution authorizing the City to enter into a lease and operating agreement with Neville Ice Arena, Inc. for the use, operation and management of the South Side Ice Rink and adjacent property as an enclosed ice skating

rink and for other recreational purposes. Said lease and operating agreement shall be for an initial term of fifty (50) years, at an annual rental of one dollar (\$1.00) per year for the first three hundred thousand dollars (\$300,000) (or its future equivalent) of gross revenues, and for such additional annual rentals as shall be determined by the application of graduated percentages to increasing increments of gross revenues.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 254 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of an underground electrical system on certain property of the City situate in the 14th Ward, designated as Block 80-D, Lot 50 in connection with electrical service to the Pittsburgh Center for the Arts (Marshall Residence).

Also,

No. 255 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of an underground electrical system on certain property of the City situate in the 14th Ward, designated as Block 80-D, Lot 50 in connection with electrical service to the Pittsburgh Center for the Arts (Scaife Residence).

Which were read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also

No. 256 Resolution providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Center Facilities in the amount not to exceed \$256,265.00, chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund.

Also,

No. 257 Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at a yearly rental cost not to exceed \$8,700.00, payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation.

Also,

No. 258 Resolution providing for an Agreement or Agreements with the Pittsburgh Rugby Club for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$22,500.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 259 Resolution providing for an Agreement or Agreements with the American Waterways Wind Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to

exceed \$10,000.00, chargeable to and payable from Code Account 1833, (183301), Concerts, Recreation, in the Department of Parks and Recreation.

Also,

No. 260 Resolution providing for an Agreement or Agreements with the Pittsburgh Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 261 Resolution providing for an Agreement or Agreements with the New Group Theatre for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 262 Resolution providing for an Agreement or Agreements with the Pittsburgh Dance Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 263 Resolution providing for an Agreement or Agreements with the Overbrook

Athletic Association, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$7,500.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 264 Resolution providing for an Agreement or Agreements with the Laurel Highland Regional Theatre Company for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 265 Resolution providing for an Agreement or Agreements with the Highland Park Community Club for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 266 Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 267 Resolution providing for an Agreement or Agreements with the Pittsburgh Ballet for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 268 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 269 Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 270 Resolution providing for an Agreement or Agreements with the Champions Association Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of

Parks and Recreation.

Also,

No. 271 Resolution providing for an Agreement or Agreements with the Pittsburgh Childrens Festival for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1837, (183707), City Wide Events, in the Department of Parks and Recreation.

Also,

No. 272 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservatory for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 273 Resolution providing for an Agreement or Agreements with the Sharing and Caring for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$7,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 274 Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed

\$45,000.00, chargeable to and payable from Code Account 1833, (183301), Concerts, Recreation, in the Department of Parks and Recreation.

Also,

No. 275 Resolution providing for an Agreement or Agreements with the River City Brass Band for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 276 Resolution providing for an Agreement or Agreements with Robert Morris College for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$8,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 277 Resolution providing for an Agreement or Agreements with the Ozanum Cultural Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 278 Resolution providing for an Agreement or Agreements with the Greenfield

Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$6,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 279 Resolution providing for an Agreement or Agreements with the Duquesne University for the Duquesne Tamburitians for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 280 Resolution providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 281 Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 282 Resolution providing for an Agreement or Agreements with the University of Pittsburgh for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation.

Also,

No. 283 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of park landscaping equipment for the Department of Parks and Recreation at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account FPTF, Index Code 252305, Frick Park Trust Fund, Department of Parks and Recreation.

Also,

No. 284 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for resurfacing renovations for the Department of Parks and Recreation at a cost not to exceed \$36,260.00, chargeable to and payable from Code Account PR86-02, 4-10-10-0002-86, Index Code 320895, Resurfacing Park Roads, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 285 Communication from Mary K. Conturo, City Solicitor, submitting the Quarterly Report of the settlement of small claims not exceeding \$750.00 for the Fourth Quarter of 1989, payable from Code Account No. 1081, Petty Claims. Also, a Quarterly Report of the

settlement of claims in excess of \$750.00 for the Fourth Quarter of 1989, payable from Code Account No. 46, Judgments.

Also,

No. 286 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of December 31, 1989.

Also,

No. 287 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the Mayor's Annual Report on Military Spending with the impact on the local economy with regard to jobs and social services. (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Also,

No. 288 Petition from the residents of the Allentown Community, requesting a public hearing to discuss the Zoning Board of Adjustment's decision of January 18, 1990, concerning the Whales Tale, Inc. (This petition is valid in accordance with Section 320 of the Home Rule Charter).

Which were severally read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo presented

No. 89 Resolution supplementing Rule X of the Rules of Council which will provide for informational meetings to be included in the Wednesday Standing Committees Meeting Agenda.

Which was read.

Mr. Ferlo:

Mr. Chairman, motion to approve for purposes of discussion.

Michelle Madoff seconded the motion.

Mr. Ferlo:

Mr. Chairman, very briefly, I've held this bill for several weeks. I'd just as soon have some discussion on it, either vote it up or down, or possibly recommit it for further discussion or amendment.

This issue in a nutshell is very simply put and that is, the Wednesday sessions which are the Standing Committee Meetings of Council, for many decades have only been relegated to discussions on two aspects of City government. One is the formal bills that come to Council by way of the Administration which, as all of us know, are probably about 90 percent of the bills that are on the agenda and make up the discussion of Wednesday's session. The other bills, 10 percent or less, are pieces of legislation that come to the table, to the Committee structure, as a result of legislation submitted by individual members of City Council.

This proposal here, very simply put, is to include in the Wednesday regular course of business the possibility of including other items on the agenda and this amendment is suggested in order to do several things. First of all, it would allow individual Councilmembers, provided they seek majority support of Councilmembers prior to the Wednesday session, to be able to suggest and have on the agenda other important items that may come up for discussion. So, rather than just being totally reactive to bills either submitted by Councilmembers or bills submitted during the normal course of busi-

ness with City government through the Administration, we would have the right to submit, through this process that is spelled out in the rule change, agenda items that can be discussed during the regular course of the televised Wednesday session meetings.

For instance, let's say we wanted to, next week, have an update discussion with our legislative representative, Mr. Kohling, in Harrisburg. Let's say he's working on some major bill about to be voted on in the State House. This would simply enable us to have a discussion on that issue with this gentleman at the table during the regular course of the Wednesday session. There may be other important items. In the two and a half years that I've been on Council, there in fact have been a number of important items that have taken up public hearing and post agenda time that could regularly have been discussed and dispensed with as part of the regular course of business on the Wednesday session. Issues around the amusement tax. We've had a meeting, an update, at one time we met with the Mayor on some Public Safety concern. We've met with key people on issues that have come up on economic development items.

So this, simply put, is meant to be able to provide a new forum and a new way for other items to be discussed as the regular course of business on the Wednesday session. And so that this is not a situation that will get off into a tangent and become unwieldy or unreasonable, built into this amendment is the requirement of each Councilmember, if they want to have a specific item discussed, they must then inform all of the Councilmembers and they have to get a majority of Councilmembers who wish to agree to have that item be discussed and to work through the Council President in order for the item to appear on the agenda. They would also have to indicate what the subject matter is of the item to be discussed and who they invited parties are that would be asked to come to the table. It still

doesn't mean that a person couldn't object to somebody who appears at the table based on the other rule of Council. It doesn't conflict with the necessity of having post agendas which continue to be somewhat of an informal way for Councilmembers to interact on an issue, and it doesn't replace the need for public hearings, be they televised or untelevised.

Very simply put, I think this is a progressive step forward and it puts into public domain other discussions that are important not only to Councilmembers but certainly many people around the City who are interested in items that are before Council's table.

Michelle Madoff:

My support of this legislation goes back to my introducing legislation that, indeed, put this Council, gavel to gavel, on cable. I thought, as many of us did, that it was very, very important that the public knows what is going on and I believe the President of Council shared that point of view in his votes previously. We have a new makeup of Council. We were not able, in the previous Councils, to let the people, the public, be informed on what is really happening.

One of the shortcomings of my legislation, and I want to be very up front about it, was that because we put everything together that was official business, we have the ongoing, many of it routine, budget meetings on Council. The reason I mention that is that I'm afraid we're going to hear from Brother Richard that we just don't have the money. But I would suggest that if we do have a problem, that we trade off the major budget hearings where we actually vote and where the public is before us asking for grants and so on, or when major issues are discussed, indeed be on Council. But the routine of just going over the numbers between the Finance Chairman and Councilmembers may not need to be televised if we run into the issue of shortage

of dollars. My understanding is that there is plenty of money; that may not even be an issue. But if it gets to a choice of which is more important, the people's business is indeed the most important thing. And frankly, you've been here a very short time, members of Council, you new members, but you know that the action does not take place other than the Wednesday meeting. The real action takes place at public hearings. The real action takes place at post agendas. That's where it all happens and I think the public has the right to have that televised so that they can know what is going on. I urge support of this legislation.

Mr. Milliones:

Mr. President, as Chair of the Finance Committee, I would urge that my fellow Councilmembers not support this legislation. I think the post agenda meetings serve the purpose as well as the public hearings that we very often have serve the purpose that Mr. Ferlo has stated. So, I would certainly urge my fellow colleagues not to support this change.

Mr. Ricciardi:

Mr. President, as Council is aware, next week I will have a bill open for discussion on televising post agenda hearings and I would ask my colleague, Mr. Ferlo, to recommit his bill to Committee until after our discussion on my bill.

The Chair:

I would like to make a brief comment. I personally think that the public hearings that we have today is the same vehicle as is proposed, without us adding to the agenda of Wednesday meetings. In other words, with five members of Council voting in the affirmative and voting to televise a public hearing on any issue, we can achieve the same purpose. And we can do it in a more structured fashion, identify a time that it's

happening, not just at the end of a Wednesday agenda, and it can be publicized through the City Clerk's Office, the purpose of the public hearing, even if there's only a couple people that will talk at the public hearing.

So, I personally think that vehicle is present here today in Council to achieve what is attempting to be achieved with this bill.

Mr. Ferlo:

Mr. Chairman, I couldn't disagree with you and Dr. Milliones more strongly. First of all, the post agendas, as we all know, are informal, they are not televised, and although the attendance has been better, there's only been a couple since the beginning of the year, the history of this Council has been that as Councilmembers become involved and busy in other issues, the attendance at the post agenda meetings basically becomes non-existent.

Secondly, the public hearing process is a lengthy process that usually involves upwards of 10, 15, 20 speakers and involves a process by which there's lengthy public input and discussion and then there's lengthy discussion with the Administration. It's a much different format and a different scenario in terms of what would likely be discussed under this proposed rule change that I am proposing

Thirdly, what often times happens, we often times have to do follow up as a Council in reaction to some question that has been discussed at a public hearing. For example, we had a controversial public hearing a week ago on the boundary street excavation by the gentleman, Mr. Gross. We have requested various things to be followed up by the Administration. Right now there's really no vehicle or format in which that information will come back to Council in terms of interacting with the Administration on follow up. It's true that we could receive a re-

port. It's true that at the end of the meeting we could discuss it. But what is wrong with having the rule changes that I propose which, using that as an example, would then allow us during the regular course of the Wednesday agenda to once again discuss that issue which has already been through the public hearing process, which has already been through the process of the Administration issuing some kind of a report to Council. There may be a number of questions, and I certainly have a lot of questions about that one issue in particular, that could easily be dispensed with during the course of the regular Wednesday meeting.

Again, this legislation does not conflict, and I support the resolution that Mr. Ricciardi has submitted in terms of televising some of the post agenda sessions. But we're really talking about apples and oranges here in terms of what the two purposes of the various bills are.

Mr. Cohen:

I have some questions with respect to both of these bills. There is a potential procedural problem with this bill which is that it's not clear from the bill how the person who wants to add this issue to the agenda would obtain the majority's support prior to the meeting. They do it similar to an interim approval, for example, or they do it by vote at the later meeting. So, I have some questions in respect to it.

Also, I think that we should recommit this for further discussion so that we can discuss it in conjunction with Councilman Ricciardi's bill. The two are before this Council; I think we really should discuss the two together and I think that there is a possibility of a compromise being reached with respect to them. My personal view of the merits of the issue is that we should have some vehicle by which we can bring issues before Council on the agenda but, at the same time, restrict ourselves so that we all don't bring up

our own pet projects at that time. And I think that maybe through a compromise on these two bills we could reach agreement.

Michelle Madoff:

I would like to share with this Council, just before I left for vacation I had a post agenda that I had referred to in this Council that I was going to have. Unfortunately, everybody was busy. A number of Councilmembers came for ten minutes and had to leave. The subject matter was meeting with Mr. Don Cimino who took over for Mr. Imhoff in Building Inspection and the subject was demolition of properties. It was amazing what came out. There was nobody here, the media wasn't here, no one learned what I learned. Does everybody know that we have nobody to do demolition on a one on one basis, people don't want to bid on them. There was something like five or six demolition people and that only two of them have heavy equipment and they rented out to the rest of them. And the reason that we don't get the jobs finished is that we have no regulations governing that and Mr. Cimino feels that he really has a terrible job ahead of him, a big job, that he has to revise his whole department. It was terribly informative, very enlightening, and I think the public who call us all the time about abandoned and vacant properties would have loved to hear what he had to say. One, it wasn't televised; two, it was only information shared with me; and three, Councilmembers did not receive the benefit of this and, more importantly, the public was shut out of the process. I would like to see some of this discussion become part of the procedure of Council hearings.

Mr. Darkins:

Mr. President, I don't see the necessity of this. I just think that we're not here to be television stars or artists. I think we're here to take care of business and that's the reason why I was

elected to City Council, to come here to take care of business. I'm not interested in being televised all the time when we're having a post agenda or whatever's going on. I'm interested in business being taken care of.

Mr. Ferlo:

First of all, no one is more interested in City business than myself and I have a lot of pet projects but they're pet projects that have to do with important public policy matters and issues that confront the City of Pittsburgh as a municipality and confront this City Council. That's part of the job of being on City Council, forwarding to the people major debates and dialogues on important issues confronting this City. As far as I'm concerned, every darned thing in this City should be televised, including Authority Board meetings.

In terms of discussion that's before us today, and I realize that some of my colleagues don't want any of the meetings televised, I hope at some point that discussion surfaces. My point very clearly, having moved this for purposes of discussion, hearing Mr. Ricciardi's concern is to ask for a withdraw of the motion to approve and a motion to recommit this and maybe parallel to the debate on Mr. Ricciardi's legislation we can have another discussion.

The Chair:

I would like to say from a procedural point of view, we have held this bill twice already. This bill cannot come up at the same time for discussion as Mr. Ricciardi's unless his goes through Committee and ultimately hits the legislative session. So, I would like to see us resolve this issue now or at some designated time in the future.

Mr. Ferlo:

The suggestion, Mr. Chairman, would be to discuss this bill following the discussion and vote on Mr. Ricciardi's proposed resolution.

Mr. Regan:

I just want to say that I agree with Bishop Darkins and Dr. Milliones on this issue.

Michelle Madoff:

Mr. Chairman, please indulge me for half a second. I'm really offended. I'm not offended that everybody has different points of view; we can disagree without being disagreeable. But if we have Councilmembers who are going to continue to have resolutions which are, indeed, on Council and then imply that the rest of us are grandstanding, I resent that.

The Chair:

Councilwoman Madoff, that has nothing to do with the issue in front of us.

Michelle Madoff:

But the point is that a statement was made that we want to be television stars. Who is more of a television star when you're giving resolutions out all the time?

The Chair:

Let me say this. We're going to vote on this bill, as is suggested, but I just want to make a comment. I think this body is the most open legislative body in America. Every meeting we have is televised, Legislative and Committee, and public hearings if anyone has a desire for that to happen. In addition to that, this room is open for up to 200 people to walk in any time. The media is always here. This is televised live, right now, and it will be retelevised every evening that it's on. I think we have an ex-

tremely open process in City government and I personally think that if we need anything, we need organization and structure. And I think the people would agree with that also.

Mr. Ferlo:

Mr. Chairman, my point of order, and I agree with everything you just said, as a matter of fact, and I think often times we're criticized but the Record will show, as you indicate, that we are more public than any other legislative body in the Commonwealth. I would like to see us be a little more public and that's what the amendment is proposed to do.

My point of order is that we recommit this and that a vote on this take place a week following discussion and vote on Mr. Ricciardi's proposed resolution.

The Chair:

You have a motion on the floor to approve and there has been a second.

Mr. Ferlo:

I withdrew that for the purpose of asking for a recommittal.

Michelle Madoff:

I'll withdraw my second.

The Chair:

Okay, this item is now not in front of us for vote. You are going to have to make a motion to hold this bill.

Mr. Ferlo:

So moved.

Michelle Madoff seconded the motion.

The Chair:

For one week or two weeks?

Mr. Ferlo:

For the week following the discussion and vote on Mr. Ricciardi's proposed resolution.

Mr. Milliones:

Mr. President, this will be the third time that this bill has been held. Can we get a specific time and date when we can discuss this and resolve it?

Mr. Ferlo:

I'd be happy to do that if Mr. Ricciardi's bill is up tomorrow for discussion --

Mr. Ricciardi:

Next week. I held it for two weeks.

Mr. Ferlo:

Okay, then it would be the Tuesday following whatever that day is.

The Chair:

I would ask for a motion to hold this for two weeks and that we would vote finally on this two weeks from today.

Mr. Ferlo:

That is my motion.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Ricciardi:

Mr. President, last week a motion was made to hold Bill 172, the Steel Valley Authority, for two weeks. I would like to request that we reconsider that motion and move that Bill 172 be placed on tomorrow's agenda.

Mr. Milliones seconded the motion.

WHICH MOTION PREVAILED.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 289

Report of the Committee on Finance for February 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 158

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of BTR Water Measurements, Incorporated, P.O. Box 371254, Pittsburgh, PA 15251-7254, in the amount of \$7,500.00 in payment for equipment furnished for the benefit of the City in connection with the purchase of eight Smart Gun Visual Readers with T.P. Adapters; and providing for the payment thereof."

Which was read.

Also,

Bill No. 159

A Resolution entitled, "Resolution providing for the issuance of a \$909.00 warrant in favor of Brookline Boulevard United Presbyterian Church in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
(Pres't)	

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 160

A Resolution entitled, "Resolution providing for the issuance of a warrant to David J. Pierson and Lori Ann Pierson, his wife, in the amount of \$50,000.00 in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

Mr. Ferlo:

Mr. President, on Bill 160, the \$50,000.00 payment claim against the City and actually the three taxing bodies, unfortunately, I was in Harrisburg and I wasn't here for the discussion. My main concern is, having reviewed some of the discussion of the last Committee Meeting, is that the Council, although they asked a number of questions, they didn't fully get some answers from the Administration. I'm not proposing that the bill be recommitted but I do think there needs to be some follow up and, specifically, whether or not Public Works has address the specific problem of the sheared off guardrail that is obviously in disrepair and led to the foundation for this legal claim given the traffic accident that took place. I don't know if some of those things have been directed to Director Gaetano; apparently they have, and I hope that we can get a report from Public Works on that issue. I'm still not satisfied with who actually is responsible for this guardrail, given the location where the traffic accident took place.

Mr. Cohen:

On the question of responsibility, this is such a very complicated situation. I'm not sure that question will ever be answered. I asked several times, both with the Law Department and with Public Works. We did, however, receive a letter from Director Gaetano saying that this situation has been resolved and the guardrail has been fixed.

I did further follow up discussions with George Specter from the Law Department about the merits of this bill and of this lawsuit because I had concerns that I expressed last Wednesday. After discussing it with him, I'm convinced that this is a worthy bill to vote in favor of.

Mr. Milliones:

My comments were similar to Mr. Cohen's, that yesterday we did receive a memo indicating that a work order had been issued to take care of the guardrail.

The Chair:

I agree. We did receive a memo and, in reading the memo, it states a work order has been given to remove the damaged guardrail at Jefferson and Federal Streets. The question is, the work order has been given to remove it, but are we going to replace it. That's, I think, still the unknown question that is being brought up and I would like Mr. Perry to please follow up on that memo.

Also,

Bill No. 161

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$3,000.00 to Jesse L. Garrett and Anniebell Garrett, c/o William W. Acker, Jr., Esq. their Attorney, Acker & Acker, 304 Ross Street, 7th Floor, Pittsburgh, PA 15219 in full and final settlement of an alleged razing of plaintiff's garage at 2426 Webster Avenue or or about December, 1984, in the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?
And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Regan
Mr. Darkins Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Milliones (Pres't)

AYES 7 NOES none

(MR. FERLO ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 162

A Resolution entitled, "Resolution providing for the issuance of a \$3,500.00 warrant in favor of William J. and Bonnie Kramer in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes

of Council in the affirmative, the bill passed finally.

Also,

Bill No. 163

A Resolution entitled, "Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services (106302), Department of Finance."

Which was read.

Michelle Madoff:

Mr. President, I ask that Bill 163 be held for one week. I've been working with Jim Turner and Ben Hayllar on this issue and, having not been here for a week, I need to clarify some of the issues.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

Bill No. 164

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various community development corporations for lot clean-up services in targeted City neighborhoods at a cost not to exceed \$50,000.00, chargeable to and payable from Three Taxing Bodies Trust Fund, Index Code 254656." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 165

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 166

A Resolution entitled, "Resolution Repealing Resolution No. 606, Item F, approved July 29, 1988, which authorized the sale of property in the 25th Ward, being a 2½ story, fra.-shg. house situated on a lot containing 15.43' x 100' x 15.60' Rr., located at 556 Ridgewood Avenue, designated as Block 46 N, Lot 107, to Warden Properties, solely owned and operated for investment by Nilardi N. Bagchi and his wife, Momita Bagchi, for the sum of \$1,500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo

Mr. Millionses
Mr. Regan
Mr. Ricciardi

Michelle Madoff Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 173

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 1208 Palo Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi." (SPONSORED BY MR. RICCIARDI)

Which was read.

Mr. Ferlo:

Mr. President, on Bill 173 in regards to consultant payment of \$1,000.00, unfortunately I was not here at the Wednesday session and I basically want an explanation as to what this bill is for.

Mr. Ricciardi:

That bill is for professional services to me and the monies will come out of my allocated funds for City Council staff.

Mr. Ferlo:

Thank you, Mr. Ricciardi, but that doesn't really answer my question. I'm trying to understand what the bill is for and why is this payment being made. What services were provided?

Mr. Ricciardi:

The services provided to me were concerning my possible legislation that I hopefully will be presenting in a week or two on different subject matters. But I would not like to speak of the legislation I am researching at this time because I am not prepared to.

Mr. Ferlo:

My concern is that, and please correct me if I'm wrong, that this company or this individual actually is a political consultant. I'm wondering what is the nature of the actual services performed for the respective Councilmember.

Mr. Ricciardi:

The person is Mark Zabierek, the person who I'm dealing with. It has nothing to do with politics, however. There's an agreement between myself and Mr. Zabierek on researching legislation that, hopefully, I will be presenting in the future. And, as the public knows, each Councilperson is allocated \$70,000.00 to our staff that we have the responsibility to pay out as we wish. In this case, I've decided to pay a professional consultant for services rendered to me.

Mr. Ferlo:

Thank you, Mr. Chairman.

Mr. Millones:

Point of Clarification. Isn't it the prerogative of each Councilperson to spend their \$70,000.00 in terms of services in whatever way they so wish?

The Chair:

Yes it is, as long as it pertains to City business. And I believe that this does pertain to

City business, as Mr. Ricciardi has indicated, and I think that's all the reassurance this Council needs.

Mr. Millones:

I would hope that it would be for City business. I would question that it would be for anything else.

The Chair:

And I would hope that we all vote in favor of it.

Michelle Madoff:

Point of Clarification. We're not voting on whether Mr. Ricciardi has the right to transfer money to Mike Perry out of his own stipend to hire a consultant; we're voting on the legislation. Is that correct?

The Chair:

Yes.

Michelle Madoff:

Thank you.

Mr. Cohen:

I'm going to abstain on this bill for reasons unrelated to what we discussed today.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. FERLO ABSTAIN-
ING)

And there being two-thirds of the votes
of Council in the affirmative, the bill passed fi-
nally.

Also,

Bill No. 175

A Resolution entitled, "Resolution providing for
the issuance of a warrant in favor of Walter H.
Drane Company, in the amount of \$11,653.33
for the purchase of the 1990 replacement pages
to the Pittsburgh Code, without previous author-
ity of law, chargeable to and payable from Code
Account No. 1005-3, Printing Pittsburgh Code
(Index Code 100537)." —(SPONSORED BY
MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes
of Council in the affirmative, the bill passed fi-
nally.

Also,

Bill No. 192

A Resolution entitled, "Resolution transferring
the aggregate amount of One Hundred Fifty
Thousand (\$150,000.00) Dollars from Code
Account 44, Workman's Compensation, Index
Code 004408, to Code Account 1612-4, Salt,
Index Code 161240, and the amount of One
Hundred Fifty Thousand (\$150,000.00) Dollars
from Code Account 1612-5, Rental of Equip-
ment, Index Code 161257 to Code Account
1612-4, Salt, Index Code 161240."

Which was read.

Also,

Bill No. 97

A Resolution entitled, "Resolution amending
Resolution No. 1053 of 1985, entitled: 'Resolu-
tion providing for an Agreement or Agreements
with a Consultant or Consultants for the Devel-
opment and Administration of training pro-
grams for City staff and/or local organizations in
Commercial Revitalization/Economic Devel-
opment (provided through a HUD-SBA intera-
gency project and the MATCH Institute)', so as
to reduce the amount appropriated from
\$8,000.00 to \$6,978.97."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 290

Report of the Committee on Planning, Housing and Development for February 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 98

A Resolution entitled, "Resolution Repealing Resolution No. 1198, effective December 1, 1981, entitled 'Resolution providing for an Agreement or Agreements the Public Parking

Authority of Pittsburgh for the preparation of a landscape plan in connection with the design of Schenley Plaza parking area and adjacent streets, and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 99

A Resolution entitled, "Resolution amending Resolution No. 697, approved August 7, 1979, effective August 10, 1979, as amended by Resolution No. 1019 of 1979 and by Resolution No. 1230 of 1980, entitled, 'Resolution providing for an Agreement or Agreements, with the East Liberty Development, Inc., in connection with a Commercial Revitalization Program for the East Liberty Mall Area, by reducing the amount appropriated from \$61,298.73 to \$61,297.70.'"

Which was read.

Also,

Bill No. 100

A Resolution entitled, "Resolution amending Resolution No. 163 effective March 6, 1986, entitled, 'Resolution providing for an Agreement or Agreements with the Pittsburgh Clean City Committee, Inc., a non-profit corporation, for the purpose of administering the lot maintenance and Greenway implementation activities of the Property Management and Maintenance Program, so as to reduce the appropriation from \$150,000.00 to \$149,285.00.'"

Which was read.

Also,

Bill No. 101

A Resolution entitled, "Resolution amending Resolution No. 779, effective August 19, 1985, entitled, 'Resolution providing for an Agreement or Agreements with the 'Project 90, Inc.' for the administrative support in conducting a camping/recreation program for children of low-moderate income families, so as to reduce the amount appropriated from \$10,000.00 to \$9,900.00."

Which was read.

Also,

Bill No. 102

A Resolution entitled, "Resolution amending Resolution No. 715 of 1984 entitled, 'Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the Implementation of the 'Home Security Program including Block Watch Program', including Block Watch Organizers, and the installation of locks and smoke detectors in various Community Development Block Grant neighborhoods in the City', so as to reduce the amount appropriated from \$320,000.00 to \$289,164.17."

Which was read.

Also,

Bill No. 103

A Resolution entitled, "Resolution amending Resolution No. 425, effective June 2, 1983 entitled, 'Resolution providing for an Agreement or Agreements with the Oakland Planning and Development Corporation, Inc., for the City's share of funding for the continued involvement and execution of revitalization programs and projects in the Oakland Community,' so as to reduce the amount appropriated from \$60,000.00 to \$59,071.42."

Which was read.

Also,

Bill No. 104

A Resolution entitled, "Resolution amending Resolution No. 1351 effective December 22, 1982 entitled, 'Resolution providing for an Agreement or Agreements with the East Liberty Development, Inc., a non-profit corporation located at 702 Highland Building, Pittsburgh, PA 15206, for professional services related to the East Liberty Commercial Support Program', so as to reduce the amount appropriated from \$50,000.00 to \$49,686.58."

Which was read.

Also,

Bill No. 105

A Resolution entitled, "Resolution amending Resolution No. 995 of 1978, as amended by Resolution No. 830 of 1979, entitled, 'Resolution providing for a Cooperation Agreement with Community Human Services, a non-profit organization for the renovation of a building located at 372 Lawn Street, Pittsburgh, PA 15213 for domiciliary care of the area residents', so as to reduce the amount appropriated from \$105,000.00 to \$104,928.77."

Which was read.

Also,

Bill No. 106

A Resolution entitled, "Resolution amending Resolution No. 786 of 1985 entitled, 'Resolution providing for an Agreement or Agreements with the Hunger Action Coalition for administrative

and operating funds of their Penn Avenue Office in an amount not to exceed \$50,000.00, so as to reduce the amount appropriated to \$49,219.34."

Which was read.

Also,

Bill No. 107

A Resolution entitled, "Resolution amending Resolution No. 413 of 1980, 'Providing for a Supplemental Agreement or Agreements with the Pittsburgh Neighborhood Alliance' so as to reduce the amount appropriated from \$9,750.00 to \$9,733.01."

Which was read.

Also,

Bill No. 108

A Resolution entitled, "Resolution amending Resolution No. 1028 of 1978 entitled, 'Providing for an Agreement, as amended with the Pittsburgh Neighborhood Alliance for the Planning and conducting of a series of neighborhood workshops on the Community Development Block Grant Program Trust Fund, Unspecified Local Options', so as to reduce the amount appropriated from \$9,750.00 to \$9,733.01."

Which was read.

Also,

Bill No. 109

A Resolution entitled, "Resolution amending Resolution No. 794 of 1986, as amended by Resolution No. 194 of 1987 entitled, Resolution providing for an Agreement or Agreements with the Pittsburgh Opportunities Industrialization Center, Inc., and the Urban Redevelopment Au-

thority for the rehabilitation of their Fifth Avenue and Forbes Avenue buildings, so as to cancel the authorization."

Which was read.

Also,

Bill No. 110

A Resolution entitled, "Resolution amending Resolution No. 444 of 1983 entitled, 'Resolution providing for an Agreement or Agreements with local development corporations for continuation of neighborhood local development activities', so as to reduce the amount appropriated from \$30,000.00 to \$28,282.27."

Which was read.

Also,

Bill No. 111

A Resolution entitled, "Resolution amending Resolution No. 224 of 1987, entitled, 'Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the Unemployed, in an amount not to exceed \$25,000.00, so as to reduce the amount appropriated to \$23,644.00."

Which was read.

Also,

Bill No. 112

A Resolution entitled, "Resolution amending Resolution No. 376 of 1977 as amended by Resolution No. 890 of 1979 entitled, 'Providing for a Supplemental Agreement with the Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project', so as to reduce

the amount appropriated from \$34,711.96 to \$34,619.86."

Which was read.

Also,

Bill No. 113

A Resolution entitled, "Resolution amending Resolution No. 80 of 1982, as amended by Resolution No. 272 of 1982 entitled, 'Providing for an Agreement or Agreements with K.S. Sweet Associates, P.O. Box 249, King of Prussia, Pennsylvania for professional consulting services in connection with the 'Economic Development Planning for the Pittsburgh's North Side', so as to reduce the amount appropriated from \$29,900.00 to \$27,230.00."

Which was read.

Also,

Bill No. 114

A Resolution entitled, "Resolution amending Resolution No. 357 of 1985, entitled, 'Resolution providing for an Agreement or Agreements for professional auditing services in connection with the 1983 and 1984 Community Development Block Grant Program Years and the Community Development Block Grant Program - Third Party Contracts', so as to reduce the amount appropriated from \$50,000.00 to \$48,425.05."

Which was read.

Also,

Bill No. 115

A Resolution entitled, "Resolution amending Resolution No. 277 of 1984, entitled 'Resolution

providing for an Agreement or Agreements with the University of Pittsburgh for a study in connection with the Black Infant Mortality Problem in the Pittsburgh Area', so as to reduce the amount appropriated from \$10,000.00 to \$7,000.00."

Which was read.

Also,

Bill No. 116

A Resolution entitled, "Resolution amending Resolution No. 675 of 1986 entitled, 'Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, market studies, promotional activities, Main Street commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program', so as to reduce the amount appropriated from \$207,000.00 to \$206,714.00."

Which was read.

Also,

Bill No. 117

A Resolution entitled, "Resolution amending Resolution No. 12 of 1984, entitled, 'Resolution providing for an Agreement or Agreements with the South Side Local Development Corporation for commercial revitalization services in connection with the South Side Carson Street neighborhood commercial improvement program and providing for the payment of the cost thereof,' so as to reduce the cost appropriated from \$40,000.00 to \$39,975.19."

Which was read.

Also,

Bill No. 118

A Resolution entitled, "Resolution amending Resolution No. 446 of 1983 entitled, 'Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus', so as to reduce the amount appropriated from \$200,000.00 to \$193,579.97."

Which was read.

Also,

Bill No. 119

A Resolution entitled, "Resolution amending Resolution No. 555, effective June 8, 1982 entitled, 'Providing for an Agreement or Agreements with the South Side Local Development Corporation for Commercial Revitalization Support Services in the East Carson Street Business District', so as to reduce the amount appropriated from \$26,277.00 to \$25,938.29."

Which was read.

Also,

Bill No. 120

A Resolution entitled, "Resolution amending Resolution No. 731 of 1980 entitled, 'Providing for an Agreement or Agreements with Carnegie-Mellon University to assist the City in the identification of management and fiscal issues, analysis and recommendations regarding these issues and the role of the City in provision of indoor recreation, facilities and services', so as to reduce the amount appropriated from \$10,000.00 to \$9,768.66."

Which was read.

Also,

Bill No. 121

A Resolution entitled, "Resolution amending Resolution No. 1325 of 1980 entitled, 'Providing for an Agreement or Agreements with the Allegheny Conference on Community Development as agent for the organization of a community education program in the City of Pittsburgh in cooperation with the Pittsburgh Public Schools, the Community College of Allegheny County, the Allegheny Conference on Community Development and the Charles Stewart Mott Foundation', so as to reduce the amount appropriated from \$10,100.00 to \$8,225.00."

Which was read.

Also,

Bill No. 122

A Resolution entitled, "Resolution amending Resolution No. 1413 of 1980 entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants to provide professional services for the study of the Pittsburgh code of Ordinances, Title IX, Zoning', so as to reduce the amount appropriated from \$50,000.00 to \$49,195.00."

Which was read.

Also,

Bill No. 123

A Resolution entitled, "Resolution amending Resolution No. 694 of 1984 entitled, 'Providing for an Agreement or Agreements with the Port Authority of Allegheny County for continuation of the Hill District and Oakland Loop Bus', so as

to reduce the amount appropriated from \$200,000.00 to \$199,962.76."

Which was read.

Also,

Bill No. 124

A Resolution entitled, "Resolution amending Resolution No. 1029 effective November 1, 1985 entitled, 'Resolution providing for an Agreement or Agreements with a Consultant or Consultants to undertake a study of the existing condition of various components of the City's infrastructure stock, and the cost to repair these facilities. The study will involve, but not be limited to, an analysis of specific walls, roads, swimming pools and police, fire and EMS Stations that are in need of repair', so as to reduce the amount appropriated from \$370,000.00 to \$360,000.00."

Which was read.

Also,

Bill No. 125

A Resolution entitled, "Resolution amending Resolution No. 1162 of 1983 entitled, 'Providing for an Agreement or Agreements with the Kingsley Association of East Liberty for a youth counseling program that assists low-income persons with information on career opportunities', so as to reduce the amount appropriated from \$15,000.00 to \$12,592.58."

Which was read.

Also,

Bill No. 126

A Resolution entitled, "Resolution amending

Resolution No. 1150 of 1982 entitled, 'Providing for an Agreement or Agreements with architectural/engineering services and/or a contract or contracts including the use of existing contracts for design and construction of roof insulation at Chadwick Civic Center', so as to reduce the amount appropriated from \$10,000.00 to \$9,000.00."

Which was read.

Also,

Bill No. 127

A Resolution entitled, "Resolution amending Resolution No. 703 of 1984 entitled, 'Providing for an Agreement or Agreements with a consultant or consultants to conduct a feasibility study of elderly housing development in the Mt. Washington neighborhood', so as to reduce the amount appropriated from \$40,000.00 to \$39,500.00."

Which was read.

Also,

Bill No. 128

A Resolution entitled, "Resolution amending Resolution No. 495 of 1983 entitled, 'Providing for an Agreement or Agreements with the Advanced Technology Center, Mellon-Pitt-Carnegie Corporation, located in Oakland for local government matching funding support of the Advance Technology Center to identify research and development opportunities for Western Pennsylvania, and provide financial packaging and technical assistance, at a cost not to exceed \$25,000.00,' so as to reduce the amount appropriated to \$23,110.52."

Which was read.

Also,

Bill No. 129

A Resolution entitled, "Resolution amending Resolution No. 501 of 1986, entitled, 'Resolution providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh and the "Pittsburgh Employee Ownership Charitable Trust Fund" to be the City of Pittsburgh's share of a local match of funding to develop a business plan for an employee owned and operated meat packing plant', so as to reduce the amount appropriated from \$15,000.00 to \$13,500.00."

Which was read.

Also,

Bill No. 130

A Resolution entitled, "Resolution amending Resolution No. 778 of 1986, entitled, 'Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services in connection with their counseling program for victims of sexual abuse in an amount not to exceed \$50,000.00', so as to reduce the amount appropriated to \$49,997.00."

Which was read.

Also,

Bill No. 131

A Resolution entitled, "Resolution amending Resolution No. 810 of 1985 entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Mediation Center, Inc., for administrative costs in operation of their program aimed at improving/expanding mediation of disputes, at a cost not to exceed \$14,200.00, so as to reduce the appropriated to \$14,197.01.'"

Which was read.

Also,

Bill No. 132

A Resolution entitled, "Resolution amending Resolution No. 782 of 1985 entitled, 'Providing for an Agreement or Agreements with the South Side Local Development Company, located at 1141 East Carson Street, to provide support for the Main Street Program,' so as to reduce the appropriated from \$35,000.00 to \$32,215.00."

Which was read.

Also,

Bill No. 133

A Resolution entitled, "Resolution amending Resolution No. 448 effective June 16, 1988 as amended by Resolution No. 627 effective August 2, 1989, entitled, 'Resolution providing for the filing a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program,' so as to delete a line item (FD-88-02) 'Salaries, Fringes and Indirect Costs Related to CDBG Inspections' (\$-112,500.00) and create a line item 'Wall Improvement Program' Department of Engineering and Construction (\$+112,500.00)."

Which was read.

Also,

Bill No. 134

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986, as amended by Resolution No. 1180 of 1986; by

Resolution No. 43 of 1987, and by Resolution No. 715 of 1989 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program' so as to decrease line item and create a new line item in the Department of Engineering and Construction; create a line item in the Department of City Planning, and reduce the amount appropriated in the City Council budget."

Which was read.

Also,

Bill No. 135

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198 effective March 13, 1987; Resolution No. 584, effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987; Resolution No. 517 of 1988 and Resolution No. 328 of 1989 entitled, 'Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Redevelopment for a grant in connection with the 1987 Community Development Block Grant Program,' so as to decrease two (2) line items in the Department of Fire (FD-87-01) 'Demolition and/or Sealing of Condemned Buildings' (-\$6,050.00) and (FD-87-02) 'Salaries, Fringes and Indirect Costs Related to CDBG Inspections' (-\$90,986.51), decrease (CC-87-15) 'United Jewish Federation' (-\$1,356.00) and add a line item 'Wall Improvement Program' (+\$98,392.51) Department of Engineering and Construction."

Which was read.

Also,

Bill No. 136

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1150 of 1984 as amended by Resolution No. 635 of 1985 and by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989 entitled, 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1985 Community Development Block Grant Program'; so as to reduce line items in the Department of Engineering and Construction and City Council and create a line item in the Department of City Planning (Commission on Families)."

Which was read.

Also,

Bill No. 137

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984 as amended by Resolution No. 728, effective August 21, 1984, and by Resolution No. 284, effective March 30, 1987 and by Resolution No. 548 of 1989 entitled, 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1984 Community Development Block Grant Program', so as to reprogram funds in the Department of City Planning, the Department of Engineering and Construction and City Council and create a line item in the Department of City Planning (Commission on Families)."

Which was read.

Also,

Bill No. 138

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution Nos. 394 and 692 of 1983; and by Resolution No. 940 of 1984; and by Resolution No. 634 of 1985; and by Resolution Nos. 103, 177, 515 and 660 of 1986; and Resolution Nos. 286, 443, 502 of 705 of 1987, and Resolution No. 549 of 1989, entitled, 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1983 Community Development Block Grant Program', so as to reprogram funds in the Department of City Planning and the Department of Parks and Recreation and create new line items in the Department of City Planning and the URA."

Which was read.

Also,

Bill No. 139

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 359 and 835 of 1981, and by Resolution No. 417 and 830 of 1982; and by Resolution No. 212 and 1012 of 1983, and by Resolution No. 151 of 1984; and by Resolution No. 115 of 1988, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1981 CDBG Program,' so as to decrease the line items in City Council, 'Unspecified Local Option', City Planning and Public Works and create a line item in the Urban Redevelopment Authority (Sullivan Street Improvements)."

Which was read.

Also,

Bill No. 140

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201 and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolution Nos. 101 and 201 of 1986 and by Resolution Nos. 711 and 825 of 1988 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 CDBG Program,' by decreasing line items in the Department of Public Works, and the Department of Parks and Recreation, and adding these reprogrammed funds to the Urban Redevelopment Authority (Sullivan St. Improvements)."

Which was read.

Also,

Bill No. 141

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251 317 and 649 of 1979; and by Resolution Nos. 286 and 1192 of 1980; and by Resolution No. 1203 of 1981; and by Resolution Nos. 393 and 1013 of 1983; and by Resolution No. 100 of 1986, and by Resolution No. 677 of 1987 entitled, 'Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 CDBG Program,' so as to reduce line items in the Department of City Planning and add reprogrammed funds to City Council 'Unspecified

Local Option' and the Urban Redevelopment Authority."

Which was read.

Also,

Bill No. 142

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; by Resolution Nos. 252, 308, 590 and 706 of 1979; by Resolution Nos. 352, 448 and 1191 of 1980; by Resolution Nos. 560, 888 and 1363 of 1981; by Resolution Nos. 418 and 911 of 1982; by Resolution Nos. 98, 286 and 1015 of 1986; and by Resolution No. 192 of 1989, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development Block Grant Program', by decreasing line items in the Department of Public Works, the Department of City Planning, the Department Parks and Recreation, and adding these funds to the City Council - ULO line item."

Which was read.

Also,

Bill No. 143

A Resolution entitled, "Resolution amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1977, Resolution Nos. 595 and 596 of 1978, Resolution No. 591 of 1979, Resolution No. 1418 of 1981, Resolution No. 151 of 1982, Resolution No. 104 of 1986 and by Resolution No. 704 of 1987, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant Program', by de-

creasing several line items in the Department of City Planning and adding reprogrammed funds to City Council."

Which was read.

Also,

Bill No. 145

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the 'Commission on Families' program at a cost not to exceed \$45,000.00."

Which was read.

Also,

Bill No. 146

A Resolution entitled, "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories."

Which was read.

Also,

Bill No. 147

A Resolution entitled, "Resolution authorizing and directing the Mayor of the City of Pittsburgh

to enter into a close-out agreement with the United States Department of Housing and Urban Development for the Liberty Center Hotel Grant Project."

Which was read.

Also,

Bill No. 148

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in an amount not to exceed \$2,000,000 to the Pennsylvania Department of Community Affairs for the Penn Avenue Plaza Project."

Which was read.

Also,

Bill No. 149

A Resolution entitled, "Resolution providing for the Penn Avenue Plaza Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$2,000,000 in conventional financing and equity funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Mr. Ferlo:

Mr. President, I move to recommit Bills 148 and 149 which is the application of the Department of Community Affairs on the GNC property. Specifically, I think there needs to be further discussion as to what the City is going to get out of this \$2 million commitment. One thing that is not present so far is a commitment

from the corporation of some type of a long term lease agreement and the commitment to stay in the Downtown area. I think if we're going to be committing \$2 million to retain or save 225 jobs, I think we have to have that kind of commitment. That commitment is not present at this time and I think there needs to be some discussion with the Urban Redevelopment Authority on this issue.

Secondly, I'd like to know a little bit more about the commitments of the company as it relates to MBE requirements which were not discussed at the meeting

For those reasons, I respectfully request that the bill be recommitted for further discussion.

Michelle Madoff seconded the motion.

The Chair:

I'd like to make a comment. I am not going to vote in favor of recommitment. I think it is the wrong signal for us to send at this time in an attempt to keep a City based company that is presently looking to locate in the Southwestern part of the United States. I have had discussions with Brooks Robinson; I'm sure that he would be more than willing to talk with you, Mr. Ferlo, in regard to this bill. They are very hopeful that the positive signal being sent by this City in regard to this formal action to be taken by Council. It is one of the very important ingredients to keep this company.

Mr. Ferlo:

I couldn't agree with you more. I don't think it's in any way a suggestion on my part not to send any proper message to this company. However, we're talking about a very lucrative arrangement whereby the City, through the State funding, will provide \$2 million which

amounts to a very lucrative real estate arrangement whereby RIDC will become the owner of three buildings along Penn Avenue leasing back to the employees as part of the leverage buyout of the GNC Corporation. I think there needs to be some quid pro quo.

This Council in the past voted for \$800,000 plus on an issue with the Heinz Company, the same type of an issue, and we were always pressed that we had to vote for it instantly. There's an immediate need to approve the legislation. That project is still going on; the water-line is even not yet completed and something that was supposed to happen, boom, boom, boom, had to happen in two months. It's still a year later and there really has not been any conclusion to that project.

I'm only saying that as a legislative body we have the right to have a better appreciation on what we're getting for our money. Unfortunately, I have great concerns. I want to support, obviously, GNC and, obviously, I want them to stay in this City. But I don't want this to amount to some lucrative real estate arrangement and I want a commitment from the Corporation that they're going to be here for a minimum of five to seven years. That should be part of the agreement. The problem with approving this without having that discussion, as we approve this and it's no longer on Council's table. We no longer have any say so or have any relationship to this piece of legislation or what's going to happen on the project. It will not be before us to debate or discuss or to review.

The Chair:

I would just like to respond and comment. Under a worse case scenario, even if GNC did not choose to stay in Pittsburgh, the real estate investment that is proposed by RIDC is a good one. Many times the far majority of investments that RIDC has is outside the City of Pitts-

burgh and they feel that these properties can be enhanced, can be marketed, and in doing this in an aggressive fashion right now, we have the opportunity of keeping a company in the City of Pittsburgh. Too often we are too little, too late. What we are suggesting to do here is to do something up front to keep a company rather than hearing a Braun Baking Company say, "We have made our decision, it is too late, you cannot negotiate with us any longer." This City is being very up front in attempting to do that with GNC today and I think it's the right thing to do.

Mr. Ferlo:

I agree with you, Mr. Wagner, but I'm only suggesting that again we're talking about what the priority is for these dollars. You mentioned Braun, and it's a perfect example of whether or not we should spend \$2 million to keep and employ immediately two or three hundred Pittsburgh residents as opposed to the composition of the workforce that works for GNC. So, it is a question of what the priorities are and I don't think it's unreasonable to have a second discussion on this bill which I have been led to believe will not in any way impair or limit the application process that is currently underway. Those are my concerns.

Michelle Madoff:

With all due respect, I always second the motion for discussion because I think it's imperative that we don't squelch everybody's opportunity to speak. This is only an application, as I understand. They don't happen tomorrow. There's still plenty of time to have a post agenda or whatever Mr. Ferlo wish to do to meet with either the people from GNC or Brooks Robinson or anyone else and I think his point is well taken. I personally is very familiar with GNC; I know the President of the company and I know him to be an honorable man. My understanding is that they would like very much to stay here and I cer-

tainly support giving them some dollars to keep them here, especially federal dollars that we're going to apply for in a grant. But, as I said, the reason I seconded it is so that we don't ever keep anybody from speaking on the subject.

Mr. Regan:

I think that we should send the business community in the City of Pittsburgh a message that we're behind them 100 percent and we're for them rather than sending a negative message to them. I think that we have to do more of this because we've lost too many businesses in the City of Pittsburgh and we're going to lose more unless we have a positive attitude here in Council.

Mr. Ferlo:

Just to respond to that, Mr. Chairman. My concern, obviously, is a positive message, the point being, though, that if we're going to commit \$2 million, I would like some assurances that part of these negotiations are commitment for a long term relationship. If not, I don't want to give the \$2 million. I'd rather give the \$2 million to economic commercial infrastructure in Garfield or in Homewood or in the North Side or anywhere else where I can actually determine that local residents are going to benefit from jobs and employment. So, this is a public policy matter. It's a question of where the priorities of dollars should go. It's not a negative message to the business community; it's a quid pro quo message that's saying, "We want to be supportive of you and in return we expect a commitment." I don't think that commitment is there and I think that should be an aspect of the negotiations with the agreement for the GNC Corporation.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

AYES 1

NOES 7

VOTING NO:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Regan

Mr. Darkins

Mr. Ricciardi

Michelle Madoff

Mr. Wagner

(Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Also,

Bill No. 150

A Resolution entitled, "Resolution authorizing Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to undertake street and housing improvements in the Sullivan Street area of the City of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 151

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned

property in the 25th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 23C Lot 129, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 152

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Breachmenders, Inc. for the sale of Block 28A Lot 114, in the 4th Ward of the City of Pittsburgh (RESALE FOR REHABILITATION)."

Which was read.

Mr. Cohen:

I'd like my comments brought forward on Bill 152, please.

(MR. COHEN'S REMARKS ON BILL NO. 152 - WEDNESDAY, 2-7-90)

Mr. Cohen:

Over the last year or so I have gotten to know Breachmenders, and I know you have too, Councilman Milliones, and I have found them to be a really fantastic community development corporation. In fact, Councilman Milliones, you and I were both at one of their openings last summer.

This is a group that really has potential. Dave Brewton and those folks have put together some pretty sophisticated financing for new housing development in that area. I think this is great that the URA is working with them to do this.

(END OF REMARKS)

Also,

Bill No. 153

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Barbara and George Stanich for the sale of Block 12K Lot 69 in the 16th Ward of the City of Pittsburgh (SIDE-YARD)."

Which was read.

Also,

Bill No. 154

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Marcella Bilski, and designated as Block and Lot 12K-69 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Also,

Bill No. 155

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 21st Ward of the City of Pittsburgh, designated as Block and Lot 22P-157 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
-------------	-----------

Mr. Ferlo

Michelle Madoff

Mr. Millions

Mr. Ricciardi

Mr. Wagner

(Pres't Pro tem)

AYES 7

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 156

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 4th Ward of the City of Pittsburgh, designated as Block and Lot 28A-114 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins

Mr. Millions
Mr. Regan

Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 291

Report of the Committee on Public Safety for February 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 157

A Resolution entitled, "Resolution amending Resolution No. 774, effective October 2, 1987, entitled, 'Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings', so as to reduce the appropriation from \$450,000.00 to \$443,950.00."

Which was read.

Also,

Bill No. 167

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crime for professional services in connection with advocacy services and providing for the payment thereof."

Which was read.

Also,

Bill No. 168

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 169

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Legal Advocacy for Women, AKA Support for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1990; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 170

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a psychologist or psychologists for professional psychological services for the Department of Public Safety and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't Pro tem)

AYES 7

NOES none

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 171

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services for the residents of the City of Pittsburgh during 1990 and providing for the payment of the cost which is not to exceed \$30,000.00, chargeable to and payable from Code Account 1401, Index Code (140103), Bureau of Administration, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 292

Report of the Committee on Engineering and Construction for February 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 90

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the Construction/Reconstruction of Various Retaining Structures, including but not limited to Holt Street, Andover Terrace, Dakota Street, Pusey Street, and Sprain Street; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and members of Council, for those new members who may not be aware

that this Council has engaged in very, very lengthy informational meetings with the Administration and learned that there has been a great impasse over the years, real problems that needed to be solved in the workers' compensation area, and in the situation of our unfunded pensions. I had planned to wait on these issues for some time, but I don't think we can in light of what is happening.

We are asking, and rightfully so, that the tax exempts pay their fair share, as they should, certainly for a fee for service. But before we can, in good faith, say we want you to pay monies, I think we have to put our own house in order. In so doing, we need to look at the situation and have an update from the Administration on the status of unfunded pensions, the status of workers' comp.

For example, when I stumbled on the problem with workers' comp a number of years ago, it appeared that we had gone from \$40 million to \$60 million, now approaching \$80 million. I think it was workers' comp, Jack.

We also have the big problem in the Water Department with collections. Thirty percent of the people not paying their bills, and yet, the little people who are on Social Security, fixed incomes, they scratch their pennies together and pay.

We have a problem, as we learned today, because whatever happens on the County level, taxes generally reflect themselves in the City delinquencies.

I would like to have, and I'm making an official request, that we have an update at three separate meetings; one on unfunded pensions, one on workers' comp. As you recall, those who were here, we had a big problem in actually getting a contract. It took almost a year to find out we couldn't sign a contract with the people who

were going to address the issue of following up in this area. There was to be a surveillance program or a verification program in place. I still don't know what's happened on that.

But I think it would be interesting to the public and certainly to this Council to know what is our outstanding delinquency in real estate, mercantile business privilege taxes. And that does not by any means imply that we ought to be putting pressure on indigents. I think we should show great compassion and put people who are having great difficulty on some kind of payment plan.

What do we have outstanding in light of the great problems this City is having in meeting its fiscal obligations and the fact that we need to get rid of our regressive taxes.

This Council has been in session now for almost two months. I would like to request that at the earliest convenience that three sessions be scheduled. I would ask for post agendas on these, but I think they're more important than just having a post that nobody knows what's happening.

Workers' comp. What I can wait to do is when the workers' comp issue comes up and say, "Okay, now let's get an update." That's what I did last time and it carried on for, I think, two full meetings. Unfunded pensions and the status of our uncollected taxes.

Now, let me point out that I have indeed been working with Mr. Turner, particularly in the area of collecting our water bills and he has absorbed some of the concepts and ideas that I suggested to him, collections, because I have a rather lengthy background in collections.

I've also been working with Ben Hayllar on the fact that we must get some more auditors. It doesn't cost the City anything to get auditors.

They usually bring in at least ten times the \$20,000 that they're paid. At least. Usually a lot more than that. One of the benefits that we've derived is that we didn't have early on the tapes from the State which we now can check against our City tapes for delinquencies and, more recently, we were fortunate in having the laws changed so we get the federal tapes. That is making a significant difference in collections.

But, again, we don't have sufficient auditors. I know that Mr. Hayllar is moving in the direction of getting some more auditors and that's one of the reasons I asked to have that bill held so I can look into the issue. But today, I'm respectfully requesting whatever mechanism is needed to have three hearings because they're separate and apart and they're all very voluminous, to update us on what our outstanding taxes. One hearing on workers' comp, what is the status of the collections of workers' comp. Did we finally sign an agreement? Did that company go out and hire someone in surveillance as we had planned? And on the unfunded pensions, are we going to go to computations. We were looking at some dollars up front so that we could start to redress the problem and bring the debt down.

So, Mr. President, what is your wish? Do you wish to do them in three separate post agendas? Do you wish to do them as part of the regular meeting? Or do you wish to wait until Mr. Ricciardi has a meeting to decide who we are going to incorporate all this?

The Chair:

Well, they certainly are three separate issues and I would suggest that we take them separately, whether it be a post agenda meeting or simply a meeting similar to the one we had with Mr. Kohling a couple weeks ago.

Michelle Madoff:

How does the public have access to that information?

The Chair:

They certainly can come and join us at the meeting here, sit in and listen along with the media.

Michelle Madoff:

Would you not say that this is probably as important, if not more important, than almost anything we discuss in this Council? And that they should have the right, if they're handicapped or they're not able to come or if they're at work during the time that we're having this meeting, to be able to see it when it's replayed on cable? This gets to the gut of what we were talking about earlier.

The Chair:

Certainly the taxing issue, outstanding taxes, is and if it's the will of this Council, the majority, we should have a public hearing on the issue.

Michelle Madoff:

The problem with the public hearing is, basically what we've done in the past, as you know, is interact with the Administration. A lot of information was shared and incidentally triggered in great part by George Jacoby who wanted to express and share with us information, and it became very, very pertinent. The Administration wanted the public to know how their hands were tied and what the problems were. So, it isn't just Council; it is the Administration. And I, again, am pointing this out. How do we get this information to the public if we don't do it as part of the regular agenda?

The Chair:

Why don't we start by doing this. Why don't we formally request through Mike Perry's Office that the Administration provide all Councilmembers with information pertaining to the outstanding debt in the workers' comp area, the present status of the workers' comp program, the pensions, and the status of those programs. And, in addition to that, the outstanding taxes for all types of taxes that the City applies.

Michelle Madoff:

And the outstanding water bills. Last May is when I started my audit, last May. It was presented in July to the Water and Sewer Authority. I want to know what has been collected, and what is still outstanding, and what has happened to correct the problem. I think they're doing some things but I think we should share that with everyone.

The Chair:

And based on the information we receive, we can then make a decision as to what to do.

Michelle Madoff:

Are we not going to schedule -- We're going to get this information, and goody, goody, we're going to look at it. You don't think we should schedule either a post or -- It's not appropriate to have a hearing unless we want to set up a hearing and improvise. I can create a hearing; I could ask some people to come from insurance companies to give us some concepts on what we can do on unfunded pensions and we could turn it into a hearing. But I think that's inappropriate. That's almost like an attack on the Administration and I don't want to do that. I want to work cooperatively.

And so I'm saying we need to come up

with a format, Mr. Ricciardi, do you see the problem, as to how we can bring this into the public purview, not have a post agenda where they are shut out of the system and out of the process. I don't know what to do so, at the moment, I'll request three post agendas which can be changed if we come up with some kind of meaningful process for the public to have access. If not, we'll just invite the media here, maybe WQED to do a show on it. I think these are probably the most important problems confronting the City.

Mr. Ferlo:

Just as a follow up, Michelle didn't offer to the floor a specific motion. There are two avenues; one is the three post agendas or a motion to be made for a public hearing. And at that point, she could make a motion to televise them.

Michelle Madoff:

I did suggest and I did make the motion that we do it in three post agendas for the moment because I don't know any other mechanism in which to undertake to get this information.

Mr. Ferlo:

Fine. That doesn't require a motion.

The Chair:

Why don't we ask for this information to Council within 30 days and from that point schedule a post agenda, public hearing, or simply a public session similar to the one with Mr. Kohling.

Michelle Madoff:

I think 30 days is too long. If you start at 30 days, then we start having hearings and then we start finding out what is happening. I think

we have to express our urgency, no longer than two weeks.

The Chair:

Two weeks. Thank you.

Mr. Regan:

I would like to tell the Councilwoman who has been out of town for several days and looks well rested and looks ready to go, that I'm paid up.

Michelle Madoff:

My suggestions were in no way addressed to anybody. Please, that is not what I had in mind.

Mr. Ferlo moved to excuse Mr. Coyne for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair:

As everyone is aware, tomorrow's meeting is rescheduled from 10:00 until 2:00 p.m. due to the death of Michael Coyne's father. We need a motion to recess this meeting and meet again tomorrow after the Standing Committee Meeting.

Michelle Madoff:

So moved.

Mr. Regan seconded the motion.

And on the motion of Michelle Madoff

Council recessed.

Pittsburgh, PA
Wednesday, February 13, 1990

And the time of recess having expired,
Council reconvened and there were present:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 299

Report of the Committee on Finance for February 14, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 91

A Resolution entitled, "Resolution authorizing the City to incur Lease Rental Debt in the amount of \$14,000,000.00 by entering into an Equipment Lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1990, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs relating to that series; approving the form of lease and authorizing execution of the official statement relating to the Authority's Bonds."

Which was read.

Michelle Madoff:

I would like my comments brought forward from the Standing Committee Meeting.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S COMMENTS ON BILL NO. 91,
WEDNESDAY, 2/14/90)

Michelle Madoff:

Discussion. Would you like me to explain the bond issue first?

The Chair:

No, just ask your question please.

Michelle Madoff:

Have we decided on the interest rate?

Dir. Hayllar:

Yes. As you know it changes for each year, the rate, but the average rate is 6.32583.

Michelle Madoff:

So in the Year 2000 it will be 6.5?

Ms. Botsford:

It doesn't go out that far.

Dir. Hayllar:

If you look on Page 14 of the report that was submitted, the blue report, you will notice the maturity and the rates for each year.

Michelle Madoff:

In light of interest rates in the marketplace today do you think you'll have any problem selling them

Dir. Hayllar:

They're ordered.

Michelle Madoff:

So this is a done deal.

Ms. Botsford:

Yes.

Michelle Madoff:

It doesn't matter at this point what happens, we have the commitment.

Dir. Hayllar:

Yes.

Michelle Madoff:

Was this a negotiated or competitive?

Dir. Hayllar:

It was negotiated choice for the underwriting team.

Michelle Madoff:

You invited only City of Pittsburgh persons, companies including the one that was left out and they were people who had the underwriting capacity located in the City of Pittsburgh who had underwriting capacity and they were invited and it was not competitive amongst those invited, it was negotiated amongst those that were invited.

Dir. Hayllar:

Yes, and given the events of yesterday, the wisdom of being able to choose your team was borne out. The major event in the financial world is the bankruptcy -- yesterday when they were getting orders for the \$14 million in bonds, the market was beyond sluggish, it was not moving and everybody was sitting looking at their ticker tapes waiting to see what Drexell-Berman was going to do; the bonds weren't moving. And because of the underwriting team of W.R. Lazard, they made the necessary adjustments late in the day to sell the bonds without having to raise the interest rates so this is a very commendable action, it's not necessarily the kind of action you are going to get unless you have teams that you have faith in and that are willing to make that sacrifice. They sacrificed their own income to do the deal for us.

Michelle Madoff:

I don't question that, it's a \$14 million bond and that puts them in the position for the next \$100 million bond and it may be good business for them to absorb based on events taking place in the marketplace. But, on the other hand there is nothing to say that had you not gone with some other competitive bid, the same thing could not have held true from a Merrill Lynch or anybody so that's rhetoric, I disagree.

Dir. Hayllar:

Drexell-Berman may well have won the bid and we would have been in big trouble.

Michelle Madoff:

But you could have had the same problem if the company that you are deciding to go with had problem and you're saying you investigated them and you felt they were good.

I can't imagine you would have gone with a company that had junk bonds anyway. They've had this problem pending for a long time but it just erupted yesterday. This is not a new situation.

Dir. Hayllar:

As we have said, bidding the underwriters appropriate in certain circumstances and in this particular circumstance we felt that it was in the best interest of the City to have a competitive process that allowed us to negotiate and choose our underwriter and we are delighted with the results and the turmoil of yesterday's markets and our ability to come through with an interest rate that is low and in comparing as you can see on Page 16 of your report with other related issues, we are in excellent shape.

Michelle Madoff:

I think you did a good job on the bond but I also think that it would not have been any different had you gone out to a competitive bond with a good company that was a reliable company that did not have the kind of problems they had. I just don't believe in ever going to a negotiated bid.

The Chair:

Do you have a specific question?

Michelle Madoff:

Yes. What is the blue sheet showing for the day on that bid?

Dir. Hayllar:

On Page 16 you will find comparables.

Michelle Madoff:

Is there any higher or any lower?

Dir. Hayllar:

There's East Stroudsburg Area School District that is lower but as you know school districts are in a state of virtual guarantee by the State of Pennsylvania.

Michelle Madoff:

So other than the school districts --

Dir. Hayllar:

-- no.

Michelle Madoff:

We're not higher -- we're not paying more basis points.

Dir. Hayllar:

No.

Michelle Madoff:

That was the point I was going to make.

Again as I said, I think Council needs to be aware that I am not just speaking to be heard. The problem with the difference between negotiated and competitive bonds and we're trying to get some of the studies that were done by the federal government and we applied for them is that almost universally, competitive bonds come in much higher and cost the ratepayers a great deal of money.

The Chair:

I think the entire Council is aware of your views.

Michelle Madoff:

I just want to be sure that we watch for that in the future.

The Chair:

Do you have another question?

Michelle Madoff:

I'm through.

The Chair:

Mr. Cohen.

Michelle Madoff:

One question. The bid is now going to go to a minority firm.

Dir. Hayllar:

Yes.

Michelle Madoff:

Is that the same gentleman who was legal counsel when I was on the Leasing Authority got him into the red book so that they would have the opportunity to bid?

Dir. Hayllar:

I don't believe so, no.

Michelle Madoff:

I'm glad to see minorities getting into the red book because without being in the red book -- I'm almost sure that's what happened.

Mr. Cohen:

No questions.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferio	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff moved to excuse Mr. Coyne for absense from the meeting.

Mr. Ferio seconded the motion.

Which motion prevailed.

And on the motion of **Michelle Madoff**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, February 20, 1990

No. 8

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, February 20, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 346 WHEREAS, the Pittsburgh

Black Nurses In Action was formed in 1972; and

WHEREAS, PBNIA is a chapter of the National Black Nurses Association, Inc.; and

WHEREAS, the Association felt the need to organize black nurses to have a better understanding of educational advantages, opportunities and advancement in the field of nursing; and

WHEREAS, the PBNIA philosophy is to foster the U.S. Constitution goal that all people are entitled to equal representation; and

WHEREAS, black nurses have the unique ability, through knowledge, understanding, cultural background, experience and training, to make significant improvements in the health care status of the black community; and

WHEREAS, PBNIA's objective is to provide optimum quality health care for black consumers; and

WHEREAS, PBNIA works to influence policy making bodies that affect black people in order to ensure adequate health care and develop working relationships with other professional groups for the improvement and delivery of health care.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Pittsburgh Black Nurses in Action for their commitment to quality health care for all persons.

Mr. Darkins moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Darkins

This resolution is read into the Record and is being presented to this lovely lady who has come today because of their Association and the outstanding job that they're doing.

Ms. Gray:

I accept this resolution on behalf of all the Black nurses and Black caregivers, health caregivers, in the City of Pittsburgh. It's an honor for me to do so and I would like to thank Councilman Darkins and City Council for recognizing Pittsburgh Black Nurses Day. Thank you.

Mr. Darkins presents

No. 347 WHEREAS, James Franklin Henry has been Executive Director of the Hill House Association since 1978; and

WHEREAS, the Hill House Association is a community-based, non-profit United Way organization that houses many different social, medical and housing organizations; and

WHEREAS, the Hill House Association was responsible for the renovation and development of 400 low to moderate income homes in the Hill District; and

WHEREAS, James Franklin Henry has received numerous awards from organizations including the Champions Association Inc. Blue Cross of Western Pennsylvania Award, the Richard S. Caliguiri 1988 Salute to Pittsburgh's Finest Citizens Award, the Afro American Her-

itage Parade Association Inc. 1988 Presidents Award for improving the quality of life through humanitarian contributions, and the Number 2 Police Citizens Council Member Award for distinguished, unselfish and compassionate service to humanity; and

WHEREAS, James Franklin Henry serves on many boards including Blue Shield of Western Pennsylvania, is a member of the Hill District Round Table, the United Way 1989 Campaign Cabinet, and the Allegheny County Board of Assistance and was a former member of Leadership Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes James Franklin Henry for his unconditional dedication to the African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President and Members of Council, this is a great honor today as far as I'm concerned because Mr. Franklin Henry is a giant in our community. And if there's anyone a tribute should be made to in the month of Black History, he is much deserving.

Mr. Henry:

I'd like to thank Councilman Darkins and, of course, City Council for this honor. But I really accept it because of the staff and the volunteers and, really, the community, the main community that we serve in the Hill District which is so much in need and makes it easy day in and day out to really come to work because it's

of an unselfish nature. So, I thank you and God's speed to all of you.

Mr. Darkins presents

No. 348 WHEREAS the Totally Dynamic Blue Cats dancing drill team was founded in 1987; and

WHEREAS, the T.D. Blue Cats drill team was established by Ms. Anita Drummond and her teenage daughter Darlene; and

WHEREAS, the mission of the T.D. Blue Cats is to encourage young people to be the very best they can be; and

WHEREAS, the T.D. Blue Cats encourage non-drug use, respect for parents and other adults, and completion of education; and

WHEREAS, the T.D. Blue Cats is a self-supporting group that finances its events through fund raisers; and

WHEREAS, the T.D. Blue Cats have competed in events throughout the City and placed 1st in their first competitive event; and

WHEREAS, in 1987 the T.D. Blue Cats won the 1st place cup in Cleveland, Ohio's North Coast Vietnam Veterans Parade; and

WHEREAS, on July 10, 1989, the T.D. Blue Cats were featured in the Pittsburgh Press "Standing Out" column; and

WHEREAS, the T.D. Blue Cats drill team has recruited over 50 young people to be the best they can be.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Totally Dynamic Blue Cats dancing drill team for their leadership,

commitment, dedication and interest in promoting positive attitudes for future leaders in the African American community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Would Mr. Ferlo present this next resolution for all members of Council?

Mr. Ferlo:

I'd like the representatives of JUST HARVEST to come up here. I see Joni Rabinowitz and Ken Regal. I believe all of my colleagues were asked by this advocacy group to sponsor this resolution.

Members of Council present

No. 349 WHEREAS, National School Breakfast Week, as part of National Nutrition Month, occurs this year from March 5-11, 1990; and

WHEREAS, breakfast programs can increase educational achievement, improve child health, decrease classroom disruptions and discipline problems, and improve school attendance; and

WHEREAS, many children do not have a healthy breakfast before coming to school despite evidence that concentrating more calories early in the day at breakfast, results in better weight control and better health; and

WHEREAS, a recent Boston study shows that the National School Breakfast Program actually improves students' academic per-

formance; and

WHEREAS, a U.S. Department of Agriculture study of child nutrition programs, the National Evaluation of School Nutrition Programs (1983) revealed that many more students would eat a nutritious morning meal if one were provided in their school; and

WHEREAS, the Pittsburgh School District now serves about 5500 breakfasts a day to hungry children, which is 1600 more children than they were serving last year; and

WHEREAS, Congress, the Pennsylvania State Government, and over 100 national organizations have placed a priority on seeing that hungry children eat breakfast.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wants each child to have the opportunity to reach her potential while starting the day with a nutritious breakfast and encourages all parents and children in the school district to take advantage of the programs in their schools; and

BE IT FURTHER RESOLVED that City Council commends JUST HARVEST for their advocacy work over the past three years towards bringing the National School Breakfast Program to Pittsburgh and to Allegheny County.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, Joni Rabinowitz and Ken Regal are here from just Harvest. They've been here many times before. This Council, I think, has been very progressive over the last five years

in particular in supporting not only the School Breakfast Program but other advocacy programs in this City that directly relate to the issue of hunger. So, at this time I'd like to ask Joni or Ken to just say a few words.

Ms. Rabinowitz:

Thank you, Jim, and Members of Council. We're very happy to be here and to receive this proclamation on behalf of all the school children in Pittsburgh and the country. I think it's really significant that Council has chosen to present this as a joint resolution from all of you because we do believe that all of you do have similar concerns for the health and nutrition of our school children.

Right now, just for your information, we are working with a couple of school districts in the County, most particularly Northgate School District which, by the way, last night voted down a School Breakfast Program 7-2. They voted that they did not want a School Breakfast Program in Northgate School District, but we're hopeful that we can move forward on that and we ask your help in whatever way you can provide it. There are 21 districts now in Allegheny County that have a School Breakfast and we're hoping that in the next couple of years we can make that 100 percent throughout the County.

So, again, thank you for your support and your continued support and we will be talking to you further. Thank you very much.

The Chair:

Thank you.

Mr. Milliones:

This is a resolution commending the Free South African Movement, specifically Nelson Mandela.

Mr. Milllones presents

No. 350 WHEREAS, many anti-apartheid organizations and Pittsburghers Against Apartheid (PAA), itself a coalition of approximately 30 community organizations, mobilized to remove the South African Consulate from Pittsburgh in March, 1983; and

WHEREAS, these organizations picketed that Consulate and certain establishments selling the Kruggerand until both ceased to do business in Pittsburgh; and

WHEREAS, Pittsburghers lobbied the city government, the school board and the University of Pittsburgh to divest from South Africa and identified with the black South African struggle for freedom led by Nelson Mandela; and

WHEREAS, on Sunday, February 11, 1990, Nelson Mandela, after 27 years, was unconditionally released from Victor Verster Prison in Paarl, South Africa; and

WHEREAS, Nelson Mandela, in 1944 along with Oliver Tambo and Walter Sisulu formed the African National Congress Youth League; and

WHEREAS, Nelson Mandela, along with Oliver Tambo, formed the first black law partnership in South Africa, and during the same time period were arrested and charged under the Suppression of Communism Act; and

WHEREAS, Nelson Mandela, in December 1956, was one of 156 political leaders arrested and charged with high treason; and

WHEREAS, Nelson Mandela, in March 1961, along with his co-defendants, was acquitted in the reason case after a four and a half year

trial; and

WHEREAS, Nelson Mandela, living as a fugitive in January 1962, was smuggled across the boarder in order to make a surprise appearance at the Pan-African Freedom Movement Conference in Ethiopia; and

WHEREAS, Nelson Mandela, in August 1962, was captured and charged with inciting unrest and leaving the country illegally; and

WHEREAS, Nelson Mandela, while serving a five year prison sentence, helplessly saw the South African police raid the African National Congress underground headquarters where documents outlining a planned guerrilla campaign were found; and

WHEREAS, Nelson Mandela, in October 1963, along with eight other co-defendants, is sentenced to life imprisonment; and

WHEREAS, Nelson Mandela, despite his imprisonment, continued to fight both white and black dominations, preserved the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunity; and

WHEREAS, Nelson Mandela lived for this ideal, but if need be, was prepared to die for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh gives honor and praise to the life, leadership and continued works of Nelson Mandela.

Mr. Milllones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones:

I just wanted to say that Pittsburghers, particularly, were very much involved in the South African struggle, as you recall, and in 1983 I think was one of the cities that was in the forefront of supporting the liberation of South Africa. I wanted to state that for the Record. Thank you.

Mr. Cohen:

Mr. President, I just wanted to take a moment to commend Councilman Milliones for this resolution and say that I think it's both ironic and tragic that Mr. Mandela had to give up over 27 years of his life so that the people of South Africa, Black and White, could be free and that Blacks in South Africa right now still do not have the right to live where they want, to go to school where they want, the right to vote. There's still a long way to go. But I wanted to commend Councilman Milliones for presenting this resolution.

Mr. Ferlo:

Mr. President, I'd like to add something to this resolution. I think it's certainly proper and fitting, not only due to Black History Month but, more importantly, due to the contributions of Mr. Mandela and certainly the events in South Africa. And while some in Pittsburgh may see this discussion as somewhat obscure or some may feel that the discussion is far off from South Africa and shouldn't occupy the discussion here in Council, I think we have a track record over the last six years in particular of this Legislative branch in government, the Administration, and in fact, the School Board under the leadership of Dr. Milliones passing very strong, important divestiture legislation which has been in effect for over five years now.

One thing that concerns me, and I want to speak out about this at this time, is that there are many, and certainly some of the editorial pundits who begin to write articles at this time, that now is the time for removing divestiture legislation from universities and from City governments. And now is exactly the time not to do that; in fact, it's in large measure because of the isolation, and certainly the economic isolation of South Africa, that we're at the point now where Mr. Mandela has indeed become a freer man but certainly not as free as he hopefully will be in the future when the ANC has full political rights in South Africa. So, I would say now is the time for us to even strengthen our earlier resolve and maintain the divestiture legislation that we have.

There was an article in the Sunday Press a week ago that talked about how over 550 companies have left South Africa and South Africa now, other than Argentina, has the worst credit rating and is pretty much internationally bankrupt, not only morally but also financially. And that, in large measure, has to do with the strong divestiture stand that this Council, the School Board and universities and municipalities took all over this Country. And I would say, let's maintain that resolve and let's maintain the struggle until minorities in South Africa have full political and human rights.

Michelle Madoff:

Mr. President and Members of Council, I don't know, Jack, whether you were here, but in 1983, this Council led the battle to get the Consulate out of here and stop the Krugerrands. I was here and I'm happy to be here to vote for this piece of legislation.

The Chair:

Thank you all.

Mr. Cohen for Mr. Coyne presented

No. 300 Resolution providing for the issuance of a warrant in favor of The Simplex Group in the amount of \$5,000.00 in payment for Phase I of Project Management Training, payable from Code Account EC 88-29. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 301 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas, including but not limited to Leslie Ballfield and the Schenley Oval Ballfield at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 90-114, "1989 Project Fund".

Also,

No. 302 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Various Renovations to the Aviary located in Council District #6 at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC90-96, "1989 Project Fund".

Also,

No. 303 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Swimming Pool Design and Rehabilitation of Existing Facilities, including but not limited to Homewood, Ormsby, Cowley and Beechwood at a cost not to exceed \$400,000.00, chargeable to and payable from Code Account EC 90-103.

Also,

No. 304 Resolution providing for a Contract or Contracts, or use of existing Contracts for Major Court Renovations at Various Locations, including but not limited to Highland Park in Council District #7, at a cost not to exceed \$160,000.00, chargeable to and payable from Code Account EC 90-122, "1989 Project Fund".

Also,

No. 305 Resolution providing for a Contract or Contracts, or use of existing Contracts for Ballfield Relighting at Various Locations, including but not limited to Herschel Field in Council District #2 at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 90-115, "1989 Project Fund".

Also,

No. 306 Resolution providing for a Contract or Contracts, or use of existing Contracts for Rehabilitation of Service Buildings, including but not limited to McBride Park in Council District #5 at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account EC 90-147, "1989 Project Fund".

Also,

No. 307 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Major Repairs and Emergencies including, but not limited to Philips Park Recreation Center in Council District #4 at a cost not to exceed \$85,000.00, chargeable to and payable from Code Account EC 90-144, "1989 Project Fund".

Also,

No. 308 Resolution providing for an Agreement or Agreements, or use of existing

Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Major Renovations of Recreation Centers, including but not to Magee Recreation Center in Council District #5 at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 90-111, "1989 Bond Fund".

Also,

No. 309 Resolution providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Construction Inspection Services for Various City projects at a cost not to exceed \$260,000.00, chargeable to and payable from Code Account EC 90-414, "1989 Project Fund".

Also,

No. 310 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the Design of Walbridge Street from Main Street to Herschel Street in Council District #2 at a cost not to exceed \$80,000.00, chargeable to and payable from EC 87-02 - \$60,000.00 and EC 89-05 - \$20,000.00.

Also,

No. 311 Resolution further amending Resolution No. 750, effective September 6, 1983, as amended by Resolution No. 1006, effective November 30, 1983, as amended by Resolution No. 478, effective May 21, 1985, as amended by Resolution No. 903, effective October 3, 1985, as amended by Resolution No. 291, effective April 16, 1986, as amended by Resolution No. 468, effective June 16, 1987, entitled: "Providing for a Contract or Contracts for the Construction of Walls at various locations, including, but not limited to the following: Wick Street, Holt Street, Monroe Street, St. Martin

Street, Goettman Street, and Blessing Street; providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with Pittsburgh International Engineering Incorporated for Engineering Services in connection with the Design of the Blessing Street Wall; and providing for the payment of the costs thereof," by decreasing the total project allocation by \$38,897.05 (\$1,503,920.06 to \$1,465,104.20), chargeable to and payable from the 1983 CDBG "Emergency Jobs Bill Program (PW 83-35) "EJB Wall Improvement Program".

Also,

No. 312 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants in connection with the Schenley Golf Course Facility Needs Evaluation at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account EC 90-463, "1989 Project Fund".

Also,

No. 313 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Various Rehabilitations to the Pittsburgh Zoo, including but not limited to the Polar Bear facility, the Necropsy facility and the Quarantine facility at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 90-97, "1989 Project Fund".

Also,

No. 314 Resolution further amending Resolution No. 967, effective October 16, 1985, as amended by Resolution No. 241, effective April 2, 1986, as amended by Resolution 747, effective September 15, 1986, entitled: "Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or

Consultants for architectural, engineering, graphic design and construction management services in connection with the design of the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof," by increasing the total project allocation by \$70,000.00 from \$825,000.00 to \$895,000.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 315 An Ordinance supplement the Pittsburgh Code, Title Six - Conduct, Article V - Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659 - Unlawful Practices, by prohibiting discrimination on the basis of sexual orientation. --(SPONSORED BY MR. COYNE, MR. FERLO, MICHELLE MAD-OFF, MR. COHEN & MR. MILLIONES) (In receipt of a valid petition requesting a public hearing, hearing is required under Section 320-A of the Home Rule Charter).

Which was read and referred to the Committee on Finance.

Mr. Darkins Presented

No. 316 Resolution taking, appropriating and condemning by the City of Pittsburgh for public health use certain property of Panther Hollow Corp., Sol N. Gross, Owner, 3810 Crooked Run Road, North Versailles, Pennsylvania, in the 15th Ward, City of Pittsburgh, and authorizing payment of just compensation and necessary acquisition costs related therein. The cost and expense of this condemnation, including but not limited to payment of estimated just compensation, appraisal fees, and expert witness fees, are chargeable to and payable from Code Account 1502, Department of Public Works.

Which was read and referred to the Committee on Public Works.

Also,

No. 317 Resolution amending Res. No. 963, effective Dec. 15, 1989, entitled "Authorizing the issuance of a warrant in favor of Louis Viglione Contracting, Inc., in the amount of \$54,800.23 in payment for Extra Work furnished for the benefit of the City in connection with the renovations of Fifth Avenue with a 3-1/2" concrete overlay without previous authority of law; and providing for the payment thereof."

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 318 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division at a cost not to exceed \$260,000.00, chargeable to and payable from Code Account PW 89, Capital Construction Division.

Also,

No. 319 Resolution granting Carmello Trapani, her successors and assigns, the privi-

lege and license to construct, maintain and use at her own cost and expense a stoop and steps on a portion of the sidewalk of 54th Street in the 10th Ward, 7th District of the City of Pittsburgh.

Also,

No. 320 Resolution granting Mellon Bank, their successors and assigns the privilege and license to construct, maintain and use, at their own cost and expense, a handicap ramp on a portion of the sidewalk of Pearl Street in the 8th Ward, Council District No. 8, City of Pittsburgh.

Also,

No. 321 Resolution adopting Official Sewage Facilities Plan for Squirrel Hill Nursery Townhouses.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 322 Resolution authorizing a 1990 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the Washington's Landing at a cost not to exceed \$300,000.00, chargeable to and payable from the 1989 Project Fund, UR 90-327 Washington's Landing.

Also,

No. 323 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide authorization for the Urban Redevelopment Authority of Pittsburgh to act as an agent of the City of Pittsburgh in matters of property acquisition and relocation of street rights of way in connection with the reconstruction of Harpen Road in an aggregate amount not

to exceed \$200,000.00, chargeable to and payable from EC 90-456 Harpen Road Improvement Project.

Also,

No. 324 Resolution authorizing a 1990 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to undertake streetscape improvements for the 5th Avenue Square Area at a cost not to exceed \$600,000.00, chargeable to and payable from UR 90-11 Fifth Avenue Square Street Improvements.

Also,

No. 325 Resolution authorizing a 1990 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to undertake streetscape improvements for the Federal Street/Allegheny Center Area at a cost not to exceed \$100,000.00, chargeable to and payable from UR 90-5 Federal Street Corridor Improvements.

Also,

No. 326 Resolution authorizing a 1990 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the administration of the City programs and projects at a cost not to exceed \$490,000.00, chargeable to and payable from the Office of the Mayor, 1017 Miscellaneous Services, B-5 Development Services.

Also,

No. 327 Resolution authorizing a 1990 Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the NBDR-Public Space Improvements.

Which were severally read and referred to the Committee on Planning, Housing and Develop-

ment.

Michelle Madoff presented

No. 328 Resolution providing for the transfer of \$150,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1927 (192708), Refunds, Administration Division, Department of Water. Additional funds are needed in the refund account to carry the division through the balance of the year.

Which was read and referred to the Committee on Finance.

Michelle Madoff:

I've been asked to waive Rule 8 on this bill but I will not do that until we are briefed on the state of the fiscal situation on the Water Department and why we have to transfer money when there are millions of dollars uncollected and 30 percent of the people not paying their water bills.

Mr. Millones presented

No. 329 Resolution amending Res. No. 613 of 1989 entitled, "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof," by increasing the amount available for subcontractor agreements by \$1,053,000.00, from \$1,563,000.00 to \$2,616,000.00 chargeable to and payable from the various JTPA Trust Funds.

Which was read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bill only until or

after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 330 Resolution providing for a professional Services Agreement or Agreements for the provision of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account 1043, Miscellaneous Services.

Also,

No. 331 Resolution providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, their heirs, executors, administrators and assigns, which grants an easement to construct a protective barrier across public property in the 19th Ward, at the intersection of Saw Mill Run Boulevard and Crane Avenue. (COUNCIL DISTRICT NO. 4)

Also,

No. 332 Resolution amending Resolution No. 839, Item C, effective October 28, 1988, which authorized the sale of two small lots located at 12 Heldman Street and 6-8 Clark Way, 3rd Ward, Block 11 A, Lots 62 and 66, to John B. Farley and John B. Farley, Jr., Joint Tenants with Rights of Survivorship but not as Tenants in Common, for the sum of \$500.00. The amendment is to delete one lot, 12 Heldman Street, 3rd Ward, Block 11 A, Lot 62, and to reduce the selling price to \$350.00.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 333 Resolution amending Resolution No. 978, approved December 12, 1989, effective December 15, 1989, entitled "Amending Resolution No. 1070, approved December 17, 1987, effective December 22, 1987, entitled, 'Resolution authorizing and directing the City Controller to create an Imprest Fund, to be designated as the Confiscated Narcotics Proceeds Imprest Fund, for the deposit of cash and proceeds derived from the confiscation of narcotics and realted items, and authorizing the use of funds deposited therein by the Department of Public Safety for any and all expenses associated with investigations of narcotics violations'," by increasing the amount from \$30,000.00 to \$60,000.00.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No.334 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 16th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot Nos. 12-P-152 Part, 13-F-151, 13-E-220, 13-F-32, 13-F-1, 13-K-1, 13-E-280, 13-E-225 and 13-J-8, for the sum of \$1.00, under the Residential Land Reserve Fund. The URA of Pittsburgh will acquire publicly-owned properties which are adjacent to the South Side Skating Rink thereby assembling a site of future residential development by the principal of the Neville Ice Arena, Inc. The developer will be entering into a long term lease with the City to operate an indoor ice skating rink.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair presented

No. 335 Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company in the amount of \$7,662.00 for the purchase of office furniture for City Council, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, etc. (Index Code 100115).

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 336 Communication from the Commonwealth of Pennsylvania, Department of Military Affairs, announcing its intention to commence an Environmental Assessment to address the siting of a Western Home in Pennsylvania at the location of land adjacent to the Veterans Hospital on Leech Farm Road in the Highland section of the City, consisting of 17.5 acres.

Also,

No. 337 Communication from Thomas Flaherty, City Controller, submitting the Fiscal Audit of the Schenley Park Golf Course, Depart-

ment of Parks and Recreation as of December 31, 1988 and 1987.

Also,

No. 338 Communication from Sophie Masloff, Mayor, City of Pittsburgh, informing Council of the appointment of Dominic J. Cimino, 1200 Pocono Street, Pittsburgh, PA 15218, as an Ex. Officer, Member of the Board of Code Review.

Also,

No. 339 Communication from Sophie Masloff, Mayor, City of Pittsburgh, informing Council of the appointment of Dominic J. Cimino, 1200 Pocono Street, Pittsburgh, PA 15218, as an Ex. Officer, Member of the Board of Standards and Appeals.

Also,

No. 340 Communication from Mayor Masloff, informing Council of the appointment of Bernard J. Regan, 3856 Baytree Street, Pittsburgh, PA 15214, as a member of the Stadium Authority Board for a term to expire January, 1994.

Also,

No. 341 Communication from Mayor Masloff, informing Council of the appointment of Sr. Ellinita O'Connor, S.C. of 1635 Bedford Avenue, Pittsburgh, PA 15219, as a member of the Housing Authority Board for a term to expire October, 1993.

Which were severally read, received and filed.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 342

Report of the Committee on Finance for February 14, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 46

A Resolution entitled, "Resolution providing for the issuance of a \$753.42 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill No. 46, I will stand firm on voting no for the reasons that we've got to stop this business of renting cars and abusing them and then saying, "Well, it was a long, hot summer and the kids couldn't help it and the wind was blowing." We're paying damage when we have vehicles that we can't keep and we've had absolute vandalism in other cases. We've got to stop this and I can't vote for it.

Mr. Ferlo:

Mr. Chairman, on Michelle's point on Bill 46 which is the payment to the car company for damage on the summer work, one point is well taken. I have to vote for the bill since the damage already was incurred and we have an obligation to pay the bill. But there are a number of City departments that rent vans for as much as \$800 a month, close to over \$8000 a year, and it's a totally ridiculous situation. I asked Director Turner a year ago to look into that matter.

There's no reason why we should be renting a van at close to \$10,000 a year when we could own it in a year and a half.

So, I would ask in approving this bill today that Operations Director, Mr. Turner, review that situation. I know the Water Department does that and possibly some others. That is just fiscally not sound and since we do have an Equipment Leasing Authority that can pay for the purchase of such vehicles over a long range period, we should review our needs and find out what's the best way to make payment. It may not, in fact, be the renting of vans at very high cost each month.

The Chair

Maybe we could use old police vans for the purpose.

Mr. Ferlo:

Anything.

Michelle Madoff:

That's what I've been saying for ten years.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Mr. Milliones (Pres't)

AYES 7 **NOES 2**

(MR. COYNE AND MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 70

A Resolution entitled, "Resolution providing for the issuance of a \$5,038.57 warrant in favor of Divine Providence Hospital in payment of claim."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 **NOES none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 191

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$637.12 for Railroad Flagging expenses incurred during the Rehabilitation of the Swinburne Street Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 195

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Varieties Unlimited, Inc., 100 Rosslyn Road, Carnegie,

PA 15106, in the amount of \$2,536.30 in payment for services furnished for the benefit of the City in connection with the purchase of water bill stuffers; and providing for the payment thereof."

Which was read.

Also,

Bill No. 196

A Resolution entitled, "Resolution providing for the issuance of a \$922.50 warrant in favor of Betty Aber in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 197

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$1,988.46 to Barbara W. Smith and Howard J. Smith, her husband, c/o Jerome M. Libenson, Lample, Sable, Makoroff & Libenson, 710 Fifth Avenue, Suite 3000, Pittsburgh, PA 15219 in full settlement of a claim for personal injury, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 198

A Resolution entitled, "Resolution authorizing the Director of Finance and City Controller to establish the Employee Benefits Payment Fund to issue payments and refunds for Employee Health and Group Life Insurance Premiums."

Which was read.

Also,

Bill No. 199

A Resolution entitled, "Resolution Repealing Resolution No. 429, approved May 19, 1989, effective May 24, 1989, entitled 'Providing the authorization to make periodic transfer of funds to be used for wages and fringe benefits for participant supervision of eligible summer youth of the Pittsburgh Partnership Employment Program.'"

Which was read.

Also,

Bill No. 200

A Resolution entitled, "Resolution further amending Resolution No. 670 of 1989 as

amended by Resolution No. 867 of 1989 and Resolution No. 924 of 1989 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's JTPA Economic Dislocation and Worker Adjustment Assistance Act (ED-WAAA) Program, and providing for the payment of the costs thereof,' by increasing the amount available for subcontractor agreements by \$26,068.00."

Which was read.

Also,

Bill No. 201

A Resolution entitled, "Resolution amending Resolution No. 705 of 1989 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof,' by increasing the amount available for subcontractor agreements by \$70,000.00."

Which was read.

Also,

Bill No. 202

A Resolution entitled, "Resolution amending Resolution No. 711 of 1989 entitled 'Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Initiatives Program Single Point of Contact Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Initiatives Program Single Point of Contact Project; and providing for required assurances,' by increasing the amount available for subcontractor agreements by \$60,000.00."

Which was read.

Also,

Bill No. 203

A Resolution entitled, "Resolution amending Resolution No. 426 of 1989 entitled "Providing for an Agreement or Agreements with various agencies for job development and employment services and/or on-the-job training in connection with the Pittsburgh Partnership Employment Program and providing for the payment thereof," by enlarging the scope of services to allow for job training activities under the Urban Youth Service Corps."

Which was read.

Also,

Bill No. 204

A Resolution entitled, "Resolution providing for an Agreement with Dickie, McCamey & Chilcote, P.C. for professional legal services for the City Controller."

Which was read.

Also,

Bill No. 205

A Resolution entitled, "Resolution Repealing Resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 163

A Resolution entitled, "Resolution authorizing an Agreement or Agreements with a collection agency or agencies for professional services in connection with the collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1063, Miscellaneous Services (106302), Department of Finance."

Which was read.

Michelle Madoff:

On Bill No. 163, as you know, I requested that the bill be held so that I would have a chance to interact with the Finance Chairman, Mr. Ben Hayllar. I've reviewed this legislation with the Director of Finance, Mr. Hayllar, and we've agreed that the bill should be supported. However, I've asked the Director, and he's agreed, to submit additional legislation to increase the scope of services for delinquent bill collections so that we can increase collections that are delinquent taxes for the City.

What we're talking about is 5,000 small cases that have been backlogged coming out of the Legal Department that we really need to do something to get them moving. There is \$1 million of earned income, wage tax, that must be collected, and \$3.5 million in business privilege tax uncollected.

The new legislation will establish a trust fund into which the delinquent business and earned income taxes be deposited by the agency. It is from this trust fund that the agency will be paid. Bill 163 does not provide enough compensation to recover all the delinquent businesses and earned income taxes available to the City. My understanding is that this will only deal with backlog, not the ongoing business. As of today,

over \$1 million is uncollected and delinquent earned income tax of \$3.5 million and various delinquent business taxes that should be collected by, in this case, we're going to an outside agency.

I'm asking that you support, and I agree with Ben, we ought to go with Bill 163 so that we can get on with starting the collection of our bills. There will be an amendment or a more comprehensive bill in the next few weeks, but we don't want to delay starting to collect our taxes.

This does not address the somewhere between \$3 and \$18 million and probably as an educated guess, I would say \$5 million of the Water Department uncollected. It does not address the fact that 30 percent of the water bill payers, and they're not the little people, they pay, the people on social security pay and the little widows are paying. Thirty percent of the people are delinquent. It doesn't address that and my understanding is that it will not address the ongoing collection of new bills that become delinquent in the tax issue.

I see no reason for us to be paying away one-third to an agency. I don't have a problem, and we should have Mr. Hayllar here to give his viewpoint, but I would like to get some of this long-standing, three, four, five years, delinquent of the small claims that are sitting in the Law Department.

And that brings us to the major issue. I find it amusing that finally people are beginning to see the light. What is the job of a Controller for the County? And we do pay County taxes. What is it? I suddenly found out that as a Controller, gee, people aren't paying their taxes. What is a Controller for if not to see that our taxes are paid? And that applies to the City tax collector, in essence, and that person, the Controller, really should be doing it.

I notice we've got an audit today that was submitted which is a fiscal audit. Fiscal audits only say, "Somebody brought in \$10 and someone has a receipt that \$10 was paid." The important thing is, what kind of performance audits are we seeing and that all ties in to this issue of tax collection.

So, I'm asking that we pass it today with the understanding that there will be other legislation. And I want you to understand how serious this tax collection is. It isn't just what we're seeing in the newspapers; that's only the tip of the iceberg.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 343

Report of the Committee on Public Works for February 14, 1990 transmitting two resolutions

to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 193

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Riverview Terrace."

Which was read.

Also,

Bill No. 231

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the paving of various streets throughout the City using a cold laid latex modified emulsion asphalt; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 344

Report of the Committee on Planning, Housing and Development for February 14, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 194

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Stewart B. McKinney Homeless Act of 1987 - Emergency Shelter Grants Program; and providing for the execution of grant contracts and for the filing of other data; providing for required assurances; providing for execution of contract(s) with nonprofit organization(s); creating a special trust fund in connection with the project; providing for the deposit of the funds in the appropriate account."

Which was read.

Also,

Bill No. 172

A Resolution entitled, "Resolution approving the Steel Valley Authority's acquiring and holding of land, buildings, machinery and equipment, located on the site of the LTV Pittsburgh Works in the 16th Ward of the City of Pittsburgh, which the Authority deems necessary or

convenient for the creation of an industrial development project on the site." (AS AMENDED IN COMMITTEE)
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 345

Report of the Committee on Parks and Recreation for February 14, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 254

A Resolution entitled, "Resolution providing for

a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of an underground electrical system on certain property of the City situate in the 14th Ward, designated as Block 80-D, Lot 50 in connection with electrical service to the Pittsburgh Center for the Arts (Marshall Residence)."

Which was read.

Also,

Bill No. 255

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of an underground electrical system on certain property of the City situate in the 14th Ward, designated as Block 80-D, Lot 50 in connection with electrical service to the Pittsburgh Center for the Arts (Scaife Residence)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 351 Resolution that the appointment by the Mayor of the following persons are hereby appointed and confirmed as a Member to the Board of Trustees of the Comprehensive Municipal Pension Trust Fund in accordance with Ordinance 25 of 1986: Jack Wagner, President of Pittsburgh City Council; and Mary Conturo, City Solicitor; to fill the unexpired term of prior members which will expire in 1991.

Which was read.

Also,

No. 352 Resolution appointing Dominic J. Cimino, 1200 Pocono Street, Pittsburgh, Pennsylvania 15218 as a member of the Historic Review Commission for a term to expire December, 1992.

Which was read.

Also,

No. 353 Resolution appointing Jane Downing, 7716 Lyman Street, Pittsburgh, Pennsylvania 15221 as a member of the Historic Review Commission for a term to expire December, 1992.

Which was read.

Mr. Ferlo moved to approve the appointments.

Mr. Coyne seconded the motion.

Which motion prevailed.

Michelle Madoff:

On two other issues, Mr. President. Please, may I respectfully request that our leader, Mr. Wagner, please consult with the Administration to find out if they are planning to give us a new Water Department Director or whether, as it is rumored, it will fall under Mr. Sciulli who is now in Construction and Engineering and keep it altogether. It would not make me happy and I'd like to get some response. Would you check that out for us?

The Chair:

What I know is, as recent as yesterday they were interviewing candidates.

Michelle Madoff:

Well, can you stick a hatpin in them?

On another matter. I don't know what the proper procedure is but it would seem that perhaps we ought request our lobbyist, Chuck Kohling, to introduce an amendment to the Authority's act that would make it mandatory that anyone leaving government would also leave their appointed position on an authority. We've seen too much of that over the years. Over the ten years, I've seen a number of people, for one reason or another, not get re-elected or not run and still continue in their position on an authority. I think that's inappropriate and it locks the hands of the Administration and is not representative of this Council for which this whole legislation was initially instigated to give representation of the people to this authority.

As far as I'm concerned, there shouldn't be anybody, as you know my position in government, particularly in Council, who sits on an au-

thority board. Maybe the Ethics Commission will agree with that when they come out with their final ruling. But meanwhile, I think we need to initiate some action that says we start taking the proper moves to change the procedure as it exists today. I don't know, maybe we could throw that open for discussion to see if anybody else has anything they care to add to that or if they disagree or agree.

Mr. Ferlo:

On this issue, since Michelle raised it, I feel very strongly that Mr. O'Malley, and certainly Mr. Pollock, should not be on the authorities. The only reason why they're there originally, and this is no disrespect to the two gentlemen, the only reason why they're there originally is because of their status and their position in City government, having been first an elected City Council member.

The whole intent of the Home Rule Charter is to have some networking between the Legislative Branch, the Executive Branch, and the various authorities which, as everybody in this room knows, have become governments unto themselves. The idea was to have Councilmembers who would regularly attend and be both a part of the political life of these authorities and these commissions as much as just the Administrative and Legislative activities that they get involved in. So, it defeats the whole purpose.

As a courtesy, if nothing else, Mr. Pollock and Mr. O'Malley should resign because they're really there in a bogus fashion. They should not be on these authorities and I would certainly call on them to voluntarily resign. Unfortunately, they were appointed to specific terms that take on a life of their own as a member of an Authority. In Mr. Pollock's case I believe it's until '93, and in Mr. O'Malley's case I'm really not familiar but I think it's until next year, if

I'm not mistaken. Really, these gentlemen, by their own accord, should voluntarily resign, if for no other reason than as a political and professional courtesy to the Mayor who ultimately is held politically accountable.

One of the beefs I've had about the Housing Authority is, if nothing else, the Mayor should be afforded the opportunity to make her appointments to these various boards and commissions and authorities with the advice and consent of Council. That should be her prerogative. When she's running for office, or anybody else is running for office, we're going to hold them politically accountable for whatever problems exist in the Housing Authority or Alcosan or the Water Department or anywhere else and, at the same time, you can't tie your hands. She should be able to have representation of her own choosing and, in keeping with the intent of the Charter, Councilmembers, every one of them here, all nine of us, should have an opportunity and privilege to serve on one of the important authorities. And again I would issue that call.

Michelle's point is well-taken. There is a couple ways we could do this. We could ask a friendly State Legislator and working with Mr. Kohling and the Mayor to amend the Municipal's Authority Act to specifically put that in there. On a tactical level, it would also behoove the Mayor in the future to think about the appointments and possibly not appoint a Councilmember for any greater time than what their term is either on Council or whatever his or her term is, whoever the Mayor is. That's another way, on a tactical level, to do it.

But I would support a motion to communicate to Mr. Kohling on this issue in terms of the Authority's Act, if Michelle wants to make it.

Michelle Madoff:

I would like to make it. I would like to make a motion that we have our letter go to the Law Department investigating and reporting back to this Council within a week, what is the proper procedure. One, of course, is to ask all Mayors or try to amend that part of the Code that says that they respectfully don't appoint anybody, and they can reappoint them if they're re-elected, longer than their term. And secondly, what is the legal procedure to bring about this change, to investigate and report back to us.

Mr. Ferlo seconded the motion.

The Chair:

I would like to add one item to the motion, to the City's Clerk's memo, that Council be informed as to which appointments specifically are totally within the jurisdiction of the Mayor and which ones need confirmation of Council within all authorities. For instance, Mr. Regan being appointed today was the appointment of the Mayor. So, therefore, we need a clarification on that also.

Mr. Coyne:

Mr. Chairman, I would just think that the Administration has a solution itself when it's appointing people --

Michelle Madoff:

And when we second or approve, we would say no if the person is appointed for longer than the term of their office.

The Chair:

If I may just interject, the problem is that many times the person's term of office does not correspond with the vacancy on the authority, such as Mr. Regan today. Consequently, the Mayor would have the authority to remove any

member where she has the total authority to appoint, if their term of office expires. And that may be the case with two previous Councilmembers.

Mr. Cohen:

I just want to make sure I have a correct understanding of this motion. This motion is to call for the Law Department to do an interpretation of the Municipal Authority's Act and to lay out the options available to the Mayor, is that right?

Michelle Madoff:

In addition to the Authority's Act. There may be some other route, such as our approval of Council and such as the Mayor automatically not appointing anybody longer than their term. But we have another problem. What happens if somebody unexpectedly gets into trouble and has been appointed with good faith for the length of their term and then it's inappropriate for them to serve. We have to address that. They could still continue to serve.

Mr. Cohen:

I'll support this motion if that's what it is, an interpretation of the Act and not --

Michelle Madoff:

Exactly. Let's find out before we move, but my intention is to stop this nonsense.

The Chair:

It's an informational-type of motion.

Mr. Cohen:

Okay.

The Chair:

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. President, on another matter, since we're talking about authorities. I just wanted to report very briefly that the last Housing Authority Board Meeting, after two and a half years of requesting by this City Council, two things we've done. First of all, the Authority, at my motion, passed the Residency Requirement, the same requirement that was a part of Council legislation over two years ago. So, as of any future hirings at the Housing Authority, people must be domiciled in the City of Pittsburgh as a resident.

Secondly, also at previous Council action, the Authority Board approved a working cooperation with a performance audit being conducted by the City Controller. The Board of the Housing Authority as well as the staff will be involved with the Controller in finding what the scope of services will be. That is, what other things that the Controller will be looking at and evaluating. And I would ask all Councilmembers to please communicate to me if there are specific programmatic or financial or administrative actions at the Housing Authority that we would like to specifically have included in the scope of services by the performance audit. So, please, let me know about that.

We also approved a motion that I made to basically sever ties and any relationship that we had with the former Director and, secondly, we also are proceeding with an outside legal firm to evaluate our options as it relates to recouping the so-called retirement and severance pay of \$41,000 plus.

We're also going to be reviewing the bid process that's in place at the Authority. We're in

the process of hiring the Executive Director. The job will be posted in the local newspapers by the week's end. Obviously, Councilmembers know qualified applicants and they should encourage them to apply for this position.

We're also establishing a Board orientation and training which will also include a tour of each one of the Housing Authority's communities. Some members are not that familiar with the operations of the Authority.

Lastly, but certainly not least, we accepted by motion, we voted to approve the City's criteria for evaluating the local banks. We have a similar kind of situation now where the Housing Authority, which is the largest authority both in terms of investments and depository accounts, will now be using the same process by which the City evaluates the local banking community in terms of their mortgage lending procedures. So, I think it's important that we added a large part of City government, it's operations, to a very important progressive policy that the Administration has initiated.

There were five members present at the Authority, including myself, including Ms. Turner and Petrell who were former members. All of these resolutions were approved unanimously

Thank you, Mr. Chairman.

The Chair:

Thank you, Mr. Ferlo, for that report.

I'd like to mention one issue briefly that all Councilmembers are aware of and may want to comment on. The Pittsburgh Office of the Census Bureau I know has contacted each Council office and is looking for approximately 1,000 people to work on the 1990 census. The jobs pay in the range of \$6.00 to \$6.50 per hour and will

last for approximately six weeks. The Census Bureau is located in the Chamber of Commerce Building on Seventh Avenue in Downtown Pittsburgh, and the phone number is 394-7805.

I'm mentioning this simply because there are people out there who are looking for work and there are opportunities for employment. I would even ask the City Clerk to please communicate that information to the Bureau of Cable Communications and possibly we could have some advertisements on the Bureau indicating where people go to apply for these jobs.

Mr. Cohen:

I'm glad you brought that up. Our office has contacted community leaders to try to find people who will work on the census, but maybe this is an opportunity to repeat how important it is for everybody to be counted in the census because the number of people who are counted and the information that is gleaned from the census

is directly related, as you know, and hopefully everybody out there will know, that it's directly related to the revenues that we could obtain from the County, from the State, and from the Federal Government. So, when you get your census form in the mail, please fill it out and send it back.

The Chair:

Thank you, Mr. Cohen.

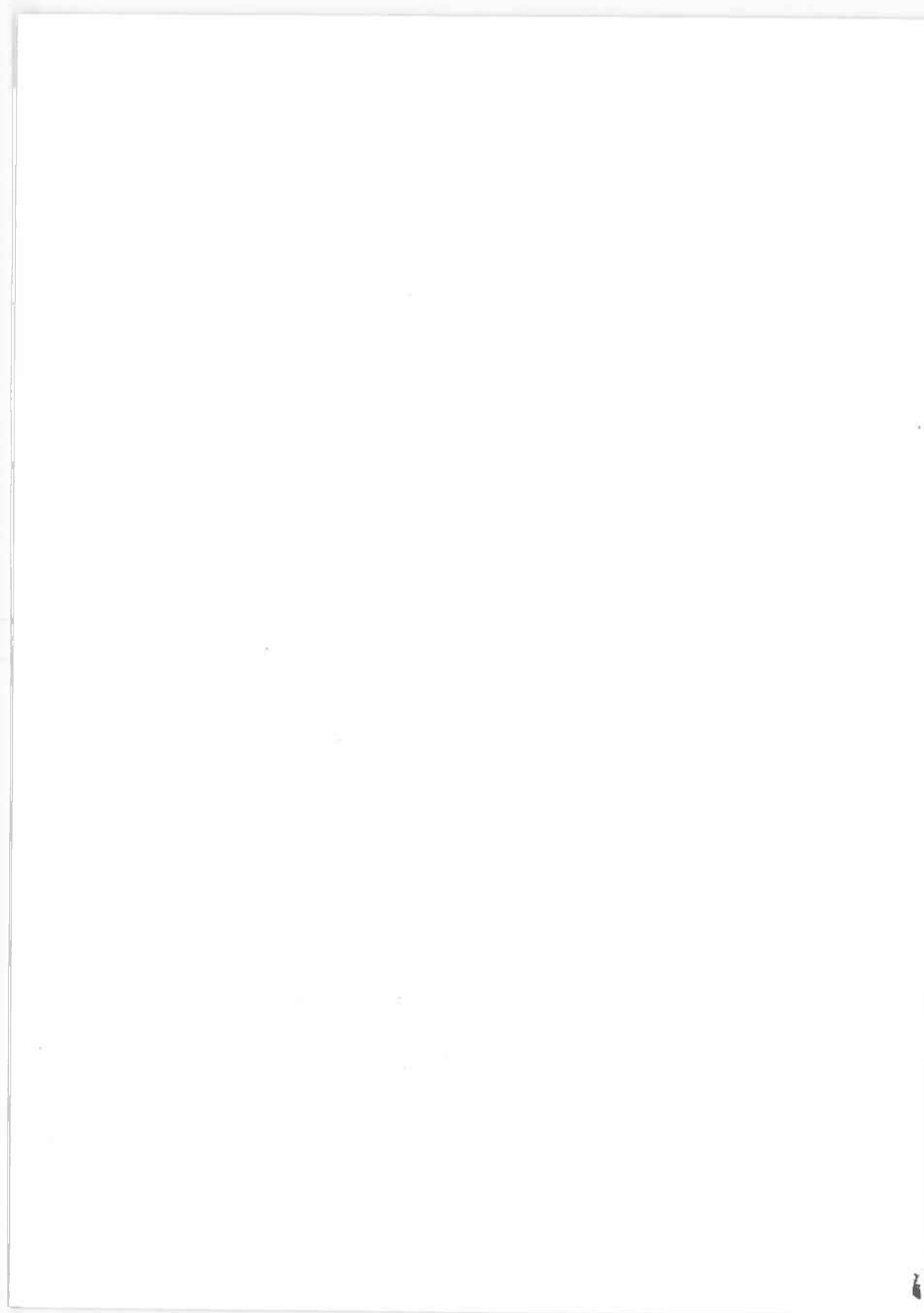
Michelle Madoff moved to approve the Minutes of Tuesday, January 30, 1990 and Tuesday, February 6, 1990.

Mr. Darkins seconded the motion.

Which motion prevailed.

And on the motion of Mr. Coyne

Council adjourned.



MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, February 27, 1990

No. 9

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, February 27, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. COYNE

PRESENTATIONS

The Chair:

We are going to divert from our regular order of business today. Instead of saying the Pledge of Allegiance, we are going to have that sung. Mr. Regan is going to introduce the group.

We are also going to have the National Anthem played after the Pledge of Allegiance.

Mr. Regan:

Mr. President, we are honored today to have Patricia Fisher who is the Principal of the Martin Luther King High School on the North Side --

Mr. Milliones:

Elementary School.

Mr. Regan:

Martin Luther King Elementary School, as Dr. Milliones, the former President of the School Board just told me.

We're honored with celebrating Black History Month and the tremendous contributions that Blacks have made, not only to the great country of America but the better place, the City of Pittsburgh.

I would like to have the choral group come up. Mr. President, you usually say the Pledge of Allegiance but these kids are a lot better than you, so I asked them to come over and sing the Pledge of Allegiance.

AT THIS POINT, THE PLEDGE OF ALLEGIANCE OF WAS SUNG.

The Chair:

Thank you.

Now we are going to have the National Anthem played by Mr. Harold Betters.

Mr. Regan:

Mr. Trombone himself and Mr. Pittsburgh of Music, Harold Betters is here to play the National Anthem.

The Chair:

And the group is going to sing along.

AT THIS POINT, THE NATIONAL ANTHEM WAS PLAYED.

The Chair:

Thank you, Mr. Betters.

Mr. Regan, is the group going to sing one last song for us?

Mr. Regan:

Yes. Would you sing one last rendition for us?

AT THIS POINT, SONGS WERE SUNG BY THE MARTIN LUTHER KING SCHOOL CHORUS.

Mr. Howard:

Thank you for inviting us to your Chambers to sing for you. We have a lot more songs but I know you're very busy. Thank you very much.

Mr. Regan:

Mr. President, I'd like to thank Mr. Howard and that great choral group from Martin Luther King Elementary School on the North Side. I think this is a great tribute to America to have these young people who are our future. If we treat them well, they'll treat the country well. Thank you.

The Chair:

I believe Mr. Darkins has a presentation to make to the young people.

Mr. Darkins:

We have candy for all the children. Thank you.

The Chair:

I'd also like to thank Mr. Harold Betters who is an institution in this town. I have been a fan of his for decades and I'm sure everyone else has also.

Mr. Regan:

You know, I felt good hearing those little children sing "Come on up to the front of the bus" because I've been in the back of the bus a lot of years myself. Just watch yourself, Mr. President, because I want to get up to the front of the bus like you someday.

PRESENTATIONS

Mr. Regan:

We're very honored today to have with us the greatest Running Back ever in the history of the National Football League. I only say the greatest Running Back in the history of the Na-

tional Football League because when they made Pittsburgh the No. 1 City, the Most Liveable City in the United States, I think it was this man and the Pittsburgh Steelers and the Rooney family that made us the No. 1 City in the United States. I honestly believe that for the impact that they made on football and what they did for the City of Pittsburgh throughout the United States.

I only feel bad that Mr. Rooney, the Chief, isn't here today because he sure would have been proud of Franco being inducted into the Hall of Fame. It's a great tribute not only to the Steelers but to the City of Pittsburgh and the Country to have such a great man as Franco be inducted into the Hall of Fame.

We also have a resolution to read for Jack Lambert. He told me that he would be here. His wife is going to have a baby and I guess as tough as he was on the football field, he's not that tough when it comes to his wife.

I would like Dan Rooney, the President of the Pittsburgh Steelers, and Dan Edwards, the Publicity Director for the Pittsburgh Steelers, to come up here along with Sam Davis, the four-time Captain of the Pittsburgh Steelers Super Bowl Teams. Sam Davis has to be the most humble man I've ever met in my life. You here about all the great Running Backs, Franco, Terry Bradshaw, Lynn Swann, but this man they picked to be the Captain for four Super Bowl teams, so that has to tell you something about the character and what they thought about him. Also, Dwight White, I'd like you to come up here while I read this resolution into the history of the City of Pittsburgh honoring Franco Harris. Franco, come on up. Sam. Sam's a big concrete contractor so he had to come straight from work over here. He's usually all shined up.

Mr. Regan presents

No. 375 WHEREAS, Franco Harris has

established an outstanding record of performance in the field of professional football; and

WHEREAS, Franco Harris has reached the epitome of accomplishment in his chosen profession by his election to the Professional Football Hall of Fame; and

WHEREAS, Franco is regarded by all who have witnessed his 13 years of high level performance as a player who has always rose to the great heights in important and crucial contests; and

WHEREAS, Franco Harris, always a team player, was revered and respected by his team mates and his opponents as a man whose quiet leadership and gentlemanly manner epitomized the term "professional"; and

WHEREAS, Franco Harris is recognized, not only as a great football player, but as a great humanitarian for his involvement in many charitable causes and for his devotion to his family and his adopted city; and

WHEREAS, Franco Harris is a man who will live forever in the hearts of Pittsburghers as a true example of what our City is about.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Franco Harris for his successful football career in the Pittsburgh community, congratulates him on his induction in the Pro Football Hall of Fame, and acknowledges the contributions he has made in helping to make Pittsburgh the #1 Most Livable City in the Nation. "IT COULD ONLY HAPPEN IN AMERICA!"

BE IT FURTHER RESOLVED, that the week of February 25, 1990 be known as FRANCO HARRIS WEEK in the City of Pittsburgh.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

See that? That's the only time we agreed in here, Franco, since I've been here.

I'd like Mr. Dan Rooney to come up and say a few words. The President of the Steelers. And I can't say how much the Rooney family has done for this City. We appreciate you coming, Dan.

Mr. Rooney:

Mr. President, Members of Council, it really is a pleasure to be here to help honor Franco and Jack Lambert. It really is an honor for the Steelers. We feel that everybody, all the Steelers, should have been there, but these two men, not only were they great football players, and as Baldy said, Franco was the greatest Running Back in the history of the National Football League, but they were great people. I think that's what made them and I think that's why they fit so well into the Steelers and the City of Pittsburgh.

It's also been a great pleasure to be here while you had the North Siders. Me being a North Sider and Franco being a North Sider, it was really a special honor to be here.

Thank you very much and congratulations, Franco.

Mr. Regan:

Franco, we're going to name this "Franco Harris Week" in the City of Pittsburgh. The

Mayor has agreed to that so you're getting stronger every day.

Mr. Harris:

Mr. President and Members of Council, I'm kind of speechless. Baldy mentioned this to me and I really didn't know it was going to be such a formal presentation. I really thank you for putting this together because I know it's not easy a lot of times to do things like this.

The reason I feel very good about this is because, as I travel, I meet a lot of people but when things happen to you here at home it just makes you feel a little extra special.

And just thinking back, I'm not sure if people read that Sports Illustrated article about the development of the 1970 Steelers. It was quite interesting and it just brought back some memories about well, maybe I could almost have been in Dallas and Robert Newhouse could have been here. But, you know, fate works in certain ways and I was able to come to Pittsburgh even though at that time I wasn't very excited about coming here. But, as it turned out, I could not have been at a better place, at a better time, working for a better organization.

When you think about the Pittsburgh Steelers, I think you also think about the work they do around the community and that has to have the support of the organization. If you know the Rooney family and how they do give back to the community, I think that really set the pace for our athletes doing that sort of thing and, believe me, as I travel around the country, you don't find as many athletes doing it as you have here with the Pittsburgh Steelers. So, it's something to be very thankful for, that the organization is this way.

Also, I'd like to thank my teammates. As you know, Sam Davis is here. He was the Cap-

tain of our Offense. I ran behind him many times and because of that I was able to gain a lot of yards. And like Dwight White on our Defense, well, our Defense was so great that our Offense always had the ball. So that made it very easy. We had a great team, a very close team, and it was just a great experience.

To the people of Pittsburgh, what can I say? I still say that back in the early '70s that this town set the standard for fan participation with all the different groups, the Franco's Italian Army, the Jack Ham Dobreshunkas, Gerella's Gorillas, and all that kind of stuff. Then after that, other cities started doing things like that. But this City here is a City that started all that kind of fan enthusiasm and that helped us really get through the '70s.

I guess what I'm really saying is that it took a lot of things to put me up here today. I took a lot of things to work to put me up here. I just want to thank everybody for being a part of it and allowing me to be here and accepting this on behalf of everybody in the City of Pittsburgh.

Also, I do want to say, Dan, thank you very much for all the great years. I wish your father could be here too because that's where it all started. Thank you very much.

Mr. Regan:

Thank you very much, Franco. I'm glad you mentioned Franco's Italian Army because I want you to come back on Columbus Day. I'm going to have another one for you.

Mr. Regan presents

No. 376 WHEREAS, Jack Lambert came to our City as relatively unheralded and rose to become one of professional football's greatest linebackers; and

WHEREAS, Jack Lambert distinguished himself as a leader on a team recognized for top level performance; and

WHEREAS, Jack Lambert led his team to four Super Bowl Championships and helped the Pittsburgh Steelers to be recognized as the greatest football team in history; and

WHEREAS, Jack Lambert's athletic skills were surpassed only by his intensity, intelligence and desire to excel; and

WHEREAS, Jack Lambert, with his fierce competitive nature, would never let it be known that inside his combative exterior beat a heart of love and compassion for the poor and downrodden; and

WHEREAS, Jack Lambert has forsaken the accolades and glory that he truly deserves to devote his life to the improvement of our ecological life and to explore and enjoy his love of life in the outdoors; and

WHEREAS, Jack Lambert will always be known as a man who rose to the top level of performance as a member of Professional Football's Hall of Fame and yet, never lost his sense of perspective in striving to make a better life for all of us in a quiet and effective manner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Jack Lambert for his successful football career in the Pittsburgh community, congratulates him on his induction into the Pro Football Hall of Fame, and acknowledges his contributions in helping to make Pittsburgh the #1 Most Liveable City in the Nation. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to present this to Dan Rooney. I appreciate you accepting this on behalf of Jack Lambert.

Mr. Rooney:

Thank you.

Mr. Regan:

Thanks for coming, Dan. I appreciate it. I know how busy you are.

Franco, the Pittsburgh Steelers will always love you and the fans of Pittsburgh can never thank you enough.

Dwight White, they used to call him Mad Dog, but he's as gentle as a lamb.

Sam Davis. If you need any concrete on your sidewalks, Sam's in the concrete business.

Thanks alot for coming. We appreciate it.

The Chair:

Thank you.

Mr. Ferlo:

Excuse me. I'd like the Chairman to recognize the new Mayor of the City of Wilksburg, Mayor Bob Pitts. I'd like to congratulate him on his victory. He's going to be a great Mayor.

The Chair:

Thank you. Glad to have you here.

Mr. Regan:

Now, I'd like to honor some good friends of mine on behalf of the City of Pittsburgh and this great United States in honor of Black History Month. It's a great tribute, the contributions they have made to this City of Pittsburgh and the great Country of America.

He's extremely outstanding in music. I'd like Harold Betters to come up here, please. Stand right here, Harold, so they can see you. The places you play in sometimes, you really couldn't see that well.

Mr. Regan presents

No. 377 WHEREAS, Harold Betters, is a native of Connellsville, PA, a town located approximately 50 miles south of Pittsburgh; and

WHEREAS, Harold received his formal musical training at Ithaca College and Brooklyn Conservatory of Music; and

WHEREAS, Harold Betters "MR. TROMBONE" and his quartet toured with the Ray Charles Ensemble at New York's legendary Apollo Theater, and has also enjoyed performing with Louis Armstrong, Al Hirt, Slide Hampton, Ramsey Lewis and Urbie Green; and

WHEREAS, Harold Betters has entertained at Pirate and Penguin home games. Harold's sound has inspired the Pittsburgh Steelers since their pre-dynasty days at Pitt Stadium in 1965 with the formation of the Harold Beter's Steeler Band; and

WHEREAS, Harold Betters has participated in numerous jazz festivals-including the prestigious KOOL JAZZ FESTIVAL, performed in a variety of concerts, and has given special performances for the late HUBERT HUMPHREY and CARL STOKES; and

WHEREAS, Harold has been a guest on the "MERV GRIFFIN" and "MIKE DOUGLAS" shows numerous times, as well as on local television programs in Pittsburgh, Cleveland and San Francisco; and

WHEREAS, Harold has cut 10 albums for the Gateway and Reprise labels, as well as his own. The albums are: "HAROLD BETTERS AT THE ENCORE"; "HAROLD BETTERS TAKES OFF"; "DO ANYTHING YOU WANNA"; "HAROLD BETTERS EVEN BETTER"; "SWINGIN' ON THE RAILROAD"; "OUT OF SIGHT AND SOUND"; "RAMBUNKSHUS"; "FUNK CITY EXPRESS"; "BIG HORN"; and "ON YOUR ACCOUNT"; and

WHEREAS, Harold Betters has been recognized several times by the PLAYBOY JAZZ POLL of outstanding trombonists and has consistently been mentioned for his versatility and style in DOWNBEAT MAGAZINE; and

WHEREAS, in 1967 the City of Pittsburgh recognized his contributions to the world of music by naming him "MAN OF THE YEAR IN MUSIC".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Harold Betters for this positive influence, leadership, and commitment both to the City of Pittsburgh and to the field of music. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Betters:

This is very heartfelt and I really appreciate it. I'd like to say that I've been a part of Pittsburgh for the last 40 years and I've been very fortunate to work with some very fine Pittsburghers, that was the Rooney family, the Galbreaths, and even the late Mayor Caliguiri. This has been a great City for sports, for music, a lot of wonderful people, and humanitarian changes and I'm glad to be part of the humanitarian changes here for my people of Black history.

So, I just want to thank everyone and Council for making it possible for me to receive this award. Thank you very much.

Mr. Regan:

Thank you very much and good luck to you.

The Chair:

Thank you.

Mr. Regan:

I thought I'd be remiss in my duties as a City Councilman of the City of Pittsburgh if I didn't honor, along with Council, two great Black men that we serve with. The first one is Councilman Duane A. Darkins. Would you please come up, Bishop?

Mr. Regan presents

No. 378 WHEREAS, Councilman Duane Adrian Darkins is the first City Councilman to be elected by the people in District 9 in the City of Pittsburgh; and

WHEREAS, Councilman Darkins attended the University of Pittsburgh, Baccalaureate Program, Pre-Law and Political Science, and the Baccalaureate Program, Theological Studies

at the Fuller Normal Industrial College in Greenville, South Carolina; and

WHEREAS, in 1985 Councilman Darkins was a Delegate Pastor - Crusade in Seoul, Korea, and a Delegate Religion Presenter - Crusade in Tokyo, Japan; and

WHEREAS, Councilman Darkins is Chairman of the Ordination Board of National F.B.H. Ministers and a Moderator of the Eastern Jurisdiction of the Ordination Board of National F.B.H. Ministers of the Commonwealth; and

WHEREAS, Councilman Darkins is the Founder and Pastor of the Greater Faith Tabernacle Church, Founder and President of the Pentecostal Nationwide Crusade Church of God in Christ and Founder and Organizer of the Outreach Radio Ministry Program, Hour of Deliverance Christian Breakfast and Prayer in Pittsburgh; and

WHEREAS, Councilman Darkins is Chairman of the Citizens for Political Progress in the Commonwealth of Pennsylvania and Chairman of the Board for the Young Men's Christian Association, Homewood-Brushton Branch; and

WHEREAS, Councilman Darkins is a Board Member of the National Association for the Advancement of Colored People and is Chairman of the Easter Seal Society, Holiday Seal Committee, Christmas and Easter.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes Councilman Duane Adrian Darkins for his unconditional devotion to the City of Pittsburgh and the African American community. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.
Which motion prevailed.

Mr. Regan:

Would you please come up also, Dr. Millions?

Mr. Regan presents

No. 379 WHEREAS, Councilman Jake Millions, Ph.D. is the first City Councilman to be elected by the people in District 6, in the City of Pittsburgh; and

WHEREAS, In 1973, Councilman Millions became a graduate of the University of Pittsburgh, Ph.D. in Clinical Psychology, in 1976 became a member of the Association of Black Psychologists, and in 1981 was certified and licensed by the PA Board of Psychologists' Examiners; and

WHEREAS, in 1989 Councilman Millions was an invited Member to the Governor's "Educational Success for All" Panel on Education as the State's #1 Priority; and

WHEREAS, Councilman Millions has received numerous awards throughout his distinguished career, including: the Distinguished Service Award from the Black Graduate Students Organization, University of Pittsburgh, 1980, the First Decade Award from the Department of Black Community Research & Development from the University of Pittsburgh; and; the Community Service Award from the National Association of Black Accountants (NABA) 1982; the Community Service Award from Bon Ami Temple Elks, 1986; the VERY IMPORTANT PERSON AWARD from Pittsburgh City Council of PTA, the Distinguished Black Alumnus Award from the University of Pittsburgh, the Lucy Stone Community Service

Award, and the Florence Reizenstein Award, 1987; and

WHEREAS, Councilman Milliones serves in Board positions with numerous organizations, including: 1978- Present, Board Member of the Pittsburgh Board of Public Education (President 1983-1988); 1983-Present, Board Director of the Pittsburgh Peace Institute; 1983-Present, Trustee of The Carnegie; 1985-Present, Board Director of the Hill District Project Area Committee; 1986-Present, Board Director of the Community Development Corp., Board Director of Carebreak and Board Director of the Boys Club of Western Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes Councilman Jake Milliones for his unconditional dedication to the City of Pittsburgh and to the African American Community. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to thank my colleagues for letting me do this for them. Thank you.

The Chair:

Thank you.

Mr. Darkins:

Mr. President, I would like to call for a resolution for the Afro-American Music Institute. They're here. Would you come forward, please?

Mr. Darkins presents

WHEREAS, the Afro-American Music Institute was founded in 1972 under the leadership of James and Pamela Johnson at the St. James A.M.E. Educational Building; and

WHEREAS, A.A.M.I. teaches instrument courses, voice and vocal technique, gospel piano style, music theory, dance and other courses related to music talent development; and

WHEREAS, the institute's objectives are to aid students in becoming skilled, professional and capable of performing a variety of music origins; skilled arrangers and composers who can function as creative contributors to Afro-American music, and who fully understand their contribution to the art of music - from a historical and business perspective; and

WHEREAS, A.A.M.I. is committed to keeping the African American music tradition alive through teaching and performances that speak to the bountiful heritage and talents that African Americans give to the performing arts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh and its citizens recognize the Afro American Music Institute as an institute that is committed to keeping the African American heritage alive.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Johnson:

The joy of passing on a tradition is making other people happy. Since slavery, the com-

mon bond in the Afro-American community has been music and we have delighted ourselves in training people of all socio-economic backgrounds, from all walks of life, from six to sixty, in the tradition of Jazz, Blues, Gospel, Broadway and Spirituals.

My wife, who stands here to my left, she is my backbone at the Institute. I have here today my family, my three daughters, my youngest son, my play daughter, my sister-in-law, and one of our great musical rising stars, and also our Administrative Assistant. On behalf of all of these people, we would like to thank you very kindly and we hope to continue this tradition as the years come. Thank you very much.

Mr. Darkins:

Would Mr. Regis Bobonis and his family please come forward?

Mr. Darkins presents

No. 381 WHEREAS, Regis D. Bobonis, Sr. coordinates and manages Duquesne Light Company's local government and community relations program for its entire customer base; and

WHEREAS, under the leadership of Regis Bobonis, Sr., Duquesne Light Company developed a minority relations program sensitive to the needs of the Pittsburgh minority and ethnic community; and

WHEREAS, Regis D. Bobonis, Sr. coordinated Duquesne Light Company's financial support for the University of Pittsburgh's prestigious African Heritage Classroom; and

WHEREAS, in 1956 Regis D. Bobonis, Sr. was the first African American General Assignment Reporter for the Pittsburgh Post

Gazette and in 1962 was the first African American news reporter for Television Station WPXI; and

WHEREAS, Regis D. Bobonis, Sr. has taught Communication classes at Carlow College, Point Park College and Duquesne University; and

WHEREAS, Regis D. Bobonis, Sr. volunteers many hours to civic organizations and serves on many distinguished Boards of Directors, including: Pennsylvania State United Way, Phipps "friends" Conservatory, Salvation Army, Chairman Honors Groups Fund Poise Foundation, and co-Chairing The Pittsburgh NAACP 1990 Human Rights Dinner; and

WHEREAS, Regis D. Bobonis, Sr. received recognition for his outstanding contributions to humanity from Mercy Hospital, the City of Pittsburgh, the Hispanic Forum of Pennsylvania and the Poise Foundation; and

WHEREAS, Regis D. Bobonis has been recognized by the Commonwealth of Pennsylvania for Distinguished Service, Distinguished Alumni Award from Duquesne University and the Distinguished Service Award from the Catholic Diocese of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Mr. Regis Darrow Bobonis, Sr. for his major contributions to the City of Pittsburgh and its African American community.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Bobonis:

I really wasn't showing off. I wanted to show you one of the reasons why any success I have is due to this young lady on my left. We've been married 40 years and she was my high school sweetheart, so she knows me pretty well.

Also, to my left, I'm very proud that my son is here, Rege, Jr. Here again is another reason why I really had no option but to try to attain some success in life.

I'm very appreciative to each of the members of Council for taking the time to recognize my career. I see a lot of good friends here, especially you, Bishop. I thought it was very grand of you to do this.

So, you see before you a very proud Pittsburgher and I must say, for the record, that this town has been very good to me and has provided me many opportunities to succeed in my career. Thank you again, very, very much.

Mr. Darkins presents

No. 382 WHEREAS, WR Lazard & Co. is a full-service minority banking firm; and

WHEREAS, WR Lazard & Co. is the nation's largest minority-owned investment banking firm; and

WHEREAS, WR Lazard & Co. provides financial advisory, underwriting and asset management services to a broad range of clients; and

WHEREAS, WR Lazard & Co. presently serves as a financial advisor to both state and local governments in their debt-issuing activities; and

WHEREAS, the Securities Data Corporation has ranked the firm 12th among all financial advisors in the country for 1989; and

WHEREAS, WR Lazard & Co. and Laidlaw Incorporated, a wholly owned subsidiary of WR Lazard & Co. serves as the broker-dealer arm of the firm; and

WHEREAS, it is actively involved as an underwriter of municipal, corporate, equity and federal agency debt and equity financing; and

WHEREAS, the firm also manages both passive (indexing) and active portfolios in their asset management division; and

WHEREAS, WR Lazard & Co. was the City of Pittsburgh's first minority-owned investment banker to be named as a senior manager on any city bond issue.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Pittsburgh that WR Lazard & Co. be recognized as a full service minority owned investment banking firm.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

It's long overdue.

Mr. Darkins:

Dwight, we are so glad to have you with us here today. Mr. Regan came from one perspective in Black History and I come from another perspective. I'm proud of you. I'm proud to be a part of us.

Mr. White:

Mr. President and Members of Council, thank you. I not only speak for myself but on behalf of my colleagues at WR Lazard in saying that we're very honored and pleased to receive this honor today, as well as having had the opportunity to be part of a first in Pittsburgh. We certainly hope that we live up to your high expectations and we look forward to the next opportunity to participate.

Incidentally, it was very nice sitting at the front of the bus this trip. We enjoyed it.

Mr. Darkins presents

No. 383 WHEREAS, Dr. Vernell A. Lillie is an Associate Professor of black studies at the University of Pittsburgh and has been a University faculty member since 1972; and

WHEREAS, Dr. Lillie received her Doctor and Master of Arts degree from Carnegie Mellon University; and

WHEREAS, Dr. Lillie's academic focus is on black studies and theatre and Dr. Lillie is trained in psychodrama playback and problem-solving theatre; and

WHEREAS, in 1974, Dr. Lillie founded the Kuntu Repertory Theatre, and under her leadership, the Repertory is celebrating its 16th season; and

WHEREAS, the Kuntu Theatre performs locally at the Stephen Foster Memorial Auditorium; and

WHEREAS, the Kuntu Repertory Theatre performs for major Universities and the American Theatre Association; and

WHEREAS, the Kuntu Repertory Theatre was chosen to perform Rob Penny's "Forum in Flight" at the Edinburgh Fringe Festival 1989

in Edinburgh, Scotland; and

WHEREAS, Dr. Lillie has received many prestigious awards and honors including that of Alpha Kappa Sorority 1987 Award for outstanding women in the arts and Women of Color Caucus 1985 Leadership Award; and

WHEREAS, Dr. Lillie is saluted by Blue Cross and Blue Shield of Western Pennsylvania for her sustaining hand in education; and

WHEREAS, Dr. Lillie is a member of the Association for Theatre in Higher Education, the African American Theatre Association and the Pennsylvania Council of Teachers in English.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Dr. Vernell A. Lillie for her sustaining contributions to the City of Pittsburgh and the African American Community.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

I am so proud of you and so glad that you were able to come, not only as a minority but as a woman, to receive this award in Black History Month. And these roses are from us to you. It says, "Give me my flowers while I can smell them."

Dr. Lillie:

President and Members of City Council, it is indeed an honor for me to accept this award. As I accept the award, however, somehow or another I feel that it really should be Rob Penny

standing here because it was a vision of Rob Penny in the early '60s who gave me the proper perspective on Black life and the Black experience and provided me with, I suppose, over 20 vehicles for me to develop the notion of Black theatre as the concept that is used here in the City of Pittsburgh.

I can assure you, I am a native of Houston, Texas, and I'm extremely proud of that world. But I came to Pittsburgh and I found another home and I will continue, as long as I can, to present those kinds of images and to fight those kinds of battles that will say that I am indeed alive and this world is mine too. And I will not relinquish a single piece of ground to any man. Thank you.

Mr. Darkins:

Mr. President, I would just like it to be a part of the Record that we're so glad that you have extended this opportunity for all of the colleagues of City Council and this time has been taken out of our busy agenda to commemorate and talk about Black History Month. I think, Jack Wagner, that's the thing that I saw in you that had me to vote for you to be the President of City Council.

The Chair:

Thank you, Councilman Darkins.

I have one final resolution; I'd like to ask Mr. Meyer Berger to step forward to receive it. It's an honor to have Mr. Berger with us here today. His friends commonly refer to him as Micky. Many of you know him; he's the Chairman of the MAGLEV Task Force created by the Governor and he also is the coordinator of the MAGLEV Working Group.

This is an extremely important resolution in terms of economic development opportu-

nities in the City of Pittsburgh.

The Chair presents

No. 384 WHEREAS, the City of Pittsburgh, the Pittsburgh metropolitan area and every major metropolitan area in America is experiencing "Grid Lock" or maximum capacity of traditional forms of transit such as cars, buses and airlines; and,

WHEREAS, a new high speed ground transportation technology has been developed and demonstrated, known as Magnetic Levitation (MAGLEV), which can transport people and cargo at speeds up to 300 MPH in a safe and efficient manner; and,

WHEREAS, Carnegie Mellon University's High Speed Ground Transportation Center and the MAGLEV Working Group has determined that the magnetic levitation technology provides the best opportunity for an alternative high speed ground transportation system to help solve the growing national transportation problem; and,

WHEREAS, the MAGLEV Working Group has determined through a preliminary feasibility study that a demonstration project linking Downtown to Pittsburgh International Airport, manufactured in Pittsburgh, could establish Pittsburgh as the supplier for future North American Markets; and,

WHEREAS, establishing Pittsburgh as a manufacturing site of MAGLEV Technology represents the birth of a new industry that would create thousands of jobs in high technology, skilled manufacturing, construction and service industries for the Pittsburgh region.

NOW, THEREFORE, IT RESOLVED, that the Council of the City of Pittsburgh commends the MAGLEV Working Group for their

accomplishments to date and encourages and supports the implementation of a demonstration project between Downtown Pittsburgh and the Pittsburgh International Airport and the establishment of Pittsburgh as the manufacturing base for Magnetic Levitation Technology.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Mr. Berger, it's an honor to have you here today. Obviously, the purpose is for this Council to officially support this technology. This past Friday there was a major news conference. Several Councilmembers were at the news conference. We all know what has happened. We've read in the newspapers over the weekend how significant this project can be to Pittsburgh. It can really be a replacement industry for the Steel Industry.

We appreciate all you work, all your efforts in this project. We would like you to say a few words, but prior to doing that, I simply want to wish Mr. Berger a Happy Birthday. Today is his birthday.

Mr. Berger:

Thank you, Mr. President. What you're doing here is very timely. It keeps our momentum going. And I think you'll see that happening in the years to come. We're off to a running head start. And I know from your resolution that you really have hit the high points and that this will be the center of a manufacturing industry which will affect all of North America.

Let's look at it, for a moment, just focusing on a Pittsburgh aspect. Number one, you

pointed out that the genesis, this thing was generated by Carnegie University. Carnegie Mellon University is the think tank which got this thing going. You want to keep that in mind while we're all deliberating about what we do about the universities. This is a great contribution that they have made and we are now taking it over. We civilians are now taking it over in the business element and we're going to make it a joint City and business project. You'll hear more about that as time goes on.

One of the things it does is relieve some of the pressure on the Greater Airport end of this County which is beginning to sink because of all the stuff that has been put on it, all the new tax sources, all the jobs, and we're going to bring a lot of action to this side of the County. The Downtown Airport will be right here, and that will create tremendous activity, a great number of jobs, and will change the face of Pittsburgh. That's the thing to watch.

Finally, I want to mention something that those of you who were at the press conference saw, and that is that the Japanese have come in offering to play a role in this. And what they have said is that we want to show, the United States, that we want to do for them what they did for us in rebuilding our infrastructure at the end of the war. So, it's not just a business proposition but it's a good will, good neighbor and good PR for the Japanese. They originally had planned to make this proposal in New York where they said in Manhattan if you want to get to LaGuardia or Kennedy or New Jersey, you can't get there from here. On a busy day it's a real problem. Their concept was to start this in New York but we quickly refocused them on Pittsburgh. What they said was, "Ah, yes." Pittsburgh is well-known in Japan. It's the City which reconstitutes itself. That's the image we have there. The birth of the Steel Industry and the City which reconstitutes itself. And once again, we're going to prove that we can do it and

it's on the way.

We thank you very much for the help you've given us. Thank you.

Mr. Cohen:

I want to commend Council President Wagner for this resolution because I think that it sends a strong message and enthusiastic stamp of approval for this MAGLEV program and one that really can, I think, bring a new industry to the City of Pittsburgh.

But I also want to take this moment to say that I think that Micky Berger is the most appropriate person to receive this resolution, the most appropriate Pittsburgher, because of his great contributions to this City and to the Country from his leadership in the civil rights movement and President of the ADA. Mr. Berger's really progressive vision for Pittsburgh and for the Country has really inspired many of us, including me personally. And I think that in order for Pittsburgh to move forward, we have to think big and Micky Berger is a big thinker. I'm glad that we have him.

Michelle Madoff:

Mr. President, you've covered all the high points but there's one that I think could be added. The reason that we don't have an anchor client or an anchor business down on Second Avenue, a high-tech center, is that they have no access to the Airport. That's what is holding us up. If we get some action going to the Airport, that will turn this whole City around. That's an area we forgot to mention.

The Chair:

Thank you, Mr. Berger, for being here.

Mr. Cohen presented

No. 354 Resolution providing for the issuance of a warrant in favor of D & L Plumbing in the amount of \$12,930.78 in payment of an Emergency Contract to install plumbing modifications to the EMS Headquarters Building, payable from Code Account EC 85-71.

Which was read and referred to the Committee on Finance.

Also,

No. 355 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Environmental Improvement Program at Various Locations at a cost not to exceed \$375,000.00, chargeable to and payable from Code Account EC 90-227, "1989 Project Fund".

Also,

No. 356 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Public Safety Facilities at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 90-243, "1989 Project Fund".

Which were read and referred to the Committee on Engineering and Construction.

Mr. Cohen for Mr. Coyne presented

No. 357 Resolution providing for the issuance of a warrant or warrants in the amount of \$24,000.00 to River Salvage Co., Inc., Alvin Stein, President, for emergency repairs to the Sinking River Rescue Boat House, payable from Capital Project Fund (1989 Project Fund), Renovations, Department of General Services.

Also,

No. 358 Resolution providing for the transfer of funds totalling \$175,000.00 from Code Account 1154-1, Index Code 115410, Rental of Motorized Equipment, Department of General Services, to Code Account 59, Index Code 005900, Carnegie Library of Pittsburgh.

Which were read and referred to the Committee on Finance.

Also,

No. 359 Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements, or for the use of existing Contract(s) of Agreement(s) for the replacement of the Centrex Main Console, Department of General Services, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1132-25, Telephone Service and Equipment, Department of General Services.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 360 Resolution adopting Official Sewage Facilities Plan for Mossfield Court.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 361 An Ordinance supplementing the Pittsburgh Code, Title One, "Administrative", Article VII, "Procedures", Chapter 161, "Contracts". ---(**SPONSORED BY MR. FERLO**)

Which was read and referred to the Committee on Finance.

Also,

No. 362 Resolution providing for the designation as a Historic Site under Section 513 of Chapter 1007 of the Code of Ordinances the Allegheny Commons Parks, also known as West Park, North Park, and East Park on the North Side, 22nd Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 363 Resolution providing for the issuance of a warrant in favor of AGA Gas, Inc., P.O. Box 94737, Cleveland, OH 44101-4737 in the amount of \$2,280.00 for equipment furnished for the benefit of the City in connection with the loss of compressed gas cylinders, chargeable to and payable from Code Account 1975, Equipment, Department of Water, Purification and Pumping Division.

Also,

No. 364 Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Environmental Resources, Certification Licensing and Bonding, P.O. Box 2063, 6th Floor, Fulton Building, Harrisburg, PA 17120, in the

amount of \$1,400.00 in payment for certification of the Water Treatment Plant Laboratory, furnished for the benefit of the City in connection with the Pennsylvania Safe Drinking Water Act of May 1, 1984, chargeable to and payable from Code Account No. 1972, Misc. Services, Purification and Pumping Division, Department of Water.

Which were read and referred to the Committee on Finance.

Mr. Millones presented

No. 365 Resolution providing for the acquisition from Rose Marie Balestrieri certain property located in the 8th Ward, City of Pittsburgh. Property being a 2-1/2 story aluminum siding house located at 411 Dargar Street, also designated as Block 26 C, Lot 324, for the sum of \$28,000.00. (COUNCIL DISTRICT #7)

Also,

No. 366 Resolution authorizing a License to the Peoples Natural Gas Company to install, construct, use and maintain, at its sole cost and expense, a gas line across property of the City of Pittsburgh known as the Heth's Run Bridge area situate in the 11th Ward and designated as Block and Lot 82-H-1 for a fee of \$2,615.00. (COUNCIL DISTRICT #7)

Also,

No. 367 Resolution authorizing a license to the Peoples Natural Gas Company to install, construct, use and maintain, at its sole and expense, a gas line across property of the City of Pittsburgh known as the Frick Park area situate in the 14th Ward, for a fee of \$7,500.00.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 368 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts for the purchase of hardware to upgrade the existing automated EMS Billing System for the Bureau of Administration at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1405, Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 369 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss Council Bill No. 315 entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six, Chapter 659 - Unlawful Practices, by prohibiting discrimination on the basis of sexual orientation." (This petition is valid in accordance with Section 320 of the Home Rule Charter.)

Which was read, received and filed.

UNFINISHED BUSINESS

Mr. Ferlo presents

No. 89 Supplementing Rule X of the Rules of Council which will provide for informational meetings to be included in the Wednesday Standing Committees agenda.

Which was read.

Mr. Ferlo:

Mr. Chairman, the rule change as I have proposed that has been discussed in the past, there's not majority support on this Council to enact it. There might be some other vehicle to

achieve what I want which is basically to enable some of the post agenda sessions to be televised. But, more importantly, in this amendment to have other items be added on the Wednesday session to allow a broader discussion with Department Directors and other important individuals in the City on important issues confronting Council. So, I would just ask that we vote the question up or down.

Michelle Madoff:

For the sake of repeating myself, I think it's important to point out that after being here longer than anyone else, other than Mike Perry, and I think he would probably be very honest and would have to agree that the gut of what happens in Council does not happen in the Tuesday or Wednesday meeting. It happens at the hearings; it happens at the post agendas. That's when the public really finds out what is going to happen and I think at some point there has to be a vehicle to include that kind of information for the public to have access as the public's right to know.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo Michelle Madoff

AYES 2 NOES 6

VOTING NO:

Mr. Cohen Mr. Regan

Mr. Darkins
Mr. Millions

Mr. Ricciardi
Mr. Wagner
(Pres't Pro tem)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 370

Report of the Committee on Finance for February 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 246

A Resolution entitled, "Resolution providing for the issuance of a \$810.00 warrant in favor of David and Rochelle Gossat in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

- 265 -

omissions. It was under Section S-22, waiving the need for the Controller's assistance to fall under Civil Service and that we waived the right, we have have objected to during budget hearing, to having certain people be exempt from the Civil Service regulations.

I just want to point out, in the old days of patronage on this Council when we, as Councilmembers, each took our turn in being able to choose someone to fill a need for Mike Perry's staff, when it came my turn what I said to Mike, and he'll substantiate it, was, "Mike, send them down to Civil Service. Make sure they can at least do the job, and you pick the person." I have no problem with anyone picking the person if they can do the job.

I don't believe that these people would pass the Civil Service test. And if they would, let them go take it.

I'm going to vote against this bill because we were not given the facts. I'm distressed that this slipped by me. I have to take responsibility for not going through this with a fine tooth comb. It was a rather lengthy number of items where they shifted items around. I thought, as it was stated to us, the annual corrections and errors, omissions, deletions are just little bookkeeping items. And they're not just little bookkeeping items.

So, I just want you to know, I did speak with all of you. You have to make your own decision on it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't Pro tem)

AYES 7

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 249

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mercer-Meindinger-Hanson, Inc. to provide professional consulting services for the pension funds of the City of Pittsburgh; and providing for the receipt and transfer of reimbursements from the Comprehensive Municipal Pension Trust Fund."

Which was read.

Also,

Bill No. 250

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 251

A Resolution entitled, "Resolution amending Resolution No. 1037, effective November 14, 1986, entitled, 'Authorizing the transfer of funds as invoices are submitted for the purchase of Asphalt at a cost not to exceed \$75,000.00 from Code Account PR86-02, 4-10-10-0002-86, Index Code 320895 in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100,' by decreasing the cost."

Which was read.

Also,

Bill No. 252

A Resolution entitled, "Resolution transferring \$374,265.00 from Code Account 1843, Senior Citizens Program, Index Code 184309 to the Senior Citizens Program Trust Fund, SCPTF, Index Code 254250, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 317

A Resolution entitled, "Resolution amending Res. No. 963, effective Dec. 15, 1989, entitled 'Authorizing the issuance of a warrant in favor of Louis Viglione Contracting, Inc., in the amount of Fifty Four Thousand Eight Hundred Dollars and Twenty Three Cents (\$54,800.23) in payment for Extra Work furnished for the benefit of the City in connection with the renovations of Fifth Avenue with a 3-1/2" concrete overlay without previous authority of law; and providing for the payment thereof,' by adjusting the cost of the project to the appropriate ac-

counts."

Which was read.

Mr. Cohen:

Mr. President, with respect to Bill 317 involving the construction of the Fifth Avenue Bus Lane, you had expressed some objections to this bill last Wednesday and I want to just echo those objections this morning. The bill involves the reconstruction of the Fifth Avenue Bus Lane and the City is paying \$50,000 and Port Authority is paying \$4,000.

I'm not going to vote against this bill because this contract, apparently, has already been struck. But I'd like to send a message to the City to do a better job in negotiating. It seems to me that since the bus lane really is under the egress of the Port Authority that we could have done a better job negotiating this and resulted in a way that we would have to pay much less of this. I'd like to see it at least be a 50-50 split but, because this contract has already been struck, I won't vote against it but I do want to ask that the City do a better job negotiating these in the future.

The Chair:

Thank you, Mr. Cohen, for echoing my feelings.

Also,

Bill No. 329

A Resolution entitled, "Resolution amending Res. No. 613 of 1989 entitled, 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof,' by increasing the amount available for subcontractor agreements by

\$1,053,000.00."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 371

Report of the Committee on Public Works for February 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation, Bill No. 232

A Resolution entitled, "Resolution granting Cardio-Thoracic Surgical Assoc. Inc., their successors and assigns, the privilege and license to

construct, maintain and use, at their own cost and expense, a foundation for veneer and vegetation on a portion of the Right-of-Way of North Avenue and Tripoli St. in the 23rd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 233

A Resolution entitled, "Resolution granting Eldevco Associates of 5947 Penn Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an electrical vault on a portion of the sidewalk of Penn Avenue in the 12th Ward, 9th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 235

A Resolution entitled, "Resolution vacating Pride Street from Locust Street southwardly 48-feet to its terminus and also reserving the 8-inch water line and 20-inch sewer line in the 1st Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't Pro tem)

AYES 7 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 316

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public health use certain property of Panther Hollow Corp., Sol N. Gross, Owner, 3810 Crooked Run Road, North Versailles, Pennsylvania, in the 15th Ward, City of Pittsburgh, and authorizing payment of just compen-

sation and necessary acquisition costs related thereto."

Which was read.

The Chair:

I would like to ask that my comments be brought forward on this bill.

(MR. WAGNER'S COMMENTS ON BILL NO. 316 - WEDNESDAY, 2/21/90)

Mr. Wagner:

Director, I just want to commend you for moving forward expeditiously on this, and the Law Department. Obviously it is a very unsafe condition, a health hazard, and it needs to be corrected as quickly as possible. Hopefully, the property owner will voluntarily co-operate. If not, I suspect we have to take the appropriate legal action.

Mr. Gaetano:

That is what we are doing.

(END OF REMARKS)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan

Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo:

Mr. President, given the situation regarding the property at Panther Hollow, I would suggest, and I so move, that the bill become law upon the signature of the Mayor which would expedite it by ten days.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

Bill No. 372

Report of the Committee on Planning, Housing and Development for February 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 236

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Historical Society of Western PA for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 237

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Tri-State Conference on Steel for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and providing for the payment of the cost which is not to exceed \$15,000.00, chargeable to and payable from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 238

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Welfare Rights Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and providing for the payment of the cost which is not to exceed \$10,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 239

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Project '90', Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and providing for the payment of the cost which is not to exceed \$7,858.00, chargeable to and payable from Code Account

1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 240

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Vintage, Inc., for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 241

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Steel Valley Authority for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and Allegheny County and providing for the payment of the cost which is not to exceed \$50,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 242

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Literacy Initiative for the furnishing of professional services for the benefit of the resi-

dents of the City of Pittsburgh and providing for the payment of the cost which is not to exceed \$25,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 243

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Neighborhood Housing Services, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh and providing for the payment of the cost which is not County at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning."

Which was read.

Also,

Bill No. 244

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for developing a 'complete count census program' to include, but not be limited to promotion, advertisement, outreach, printing, and other related census activities."

Which was read.

Also,

Bill No. 245

A Resolution entitled, "Resolution providing for the participation in and the support of the City of Pittsburgh in a study to determine the feasibility

of a regional Heritage Park in Southwestern Pennsylvania."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen for Mr. Coyne presented

Bill No. 373

Report of the Committee on General Services for February 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 222

A Resolution entitled, "Resolution providing for an Agreement or Agreements or for the use of

existing Agreements for an internship for graduate student(s) for a period of one year, from January 1, 1990 until December 31, 1990, to perform various energy related services for the Department of General Services and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 224

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements, or for the use of existing Contract(s) or Agreement(s) for the rehabilitation of the Fuel Island at the City Garage Facility, and providing for the payment thereof."

Which was read.

Also,

Bill No. 225

A Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a Contract or Contracts, or for the use of existing Agreements or Contracts for the leasing of office space, and the necessary services and equipment required due to the relocation and housing of the various occupants of the Public Safety Building, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 226

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or to exer-

cise against existing Contracts, for various energy conservation projects for the Department of General Services and providing for the payment of the cost thereof. Funds are available in Capital Account 3-30-01-0004-90 (1989 Project Fund), Index Code , Energy Conservation Improvements for Public Buildings, Department of General Services."

Which was read.

Also,

Bill No. 227

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or to exercise against existing contracts, for various repairs and renovations to City facilities, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 228

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of General Services to convey to the Borough of Crafton Volunteer Fire Department a Seagrave motor for \$1.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 229

A Resolution entitled, "Resolution amending Resolution No. 500, effective June 23, 1989, entitled, 'Providing for the letting of a Contract or Contracts for the furnishing and delivery of motorized fire equipment for the Department of General Services, and providing for the payment thereof,' by increasing the total project allocation by \$660,000 Dollars from \$1,302,000 to \$1,962,000."

Which was read.

Mr. Ferlo:

Mr. President and Members of Council, on Bill 229 which amends a resolution of Council from last year, that resolution being the authorization of \$1,302,000 for the issuing of specifications and bid procedures for the purchase of, at that time it was six, fire pumper trucks. This resolution comes back to us with an increase of \$660,000 supposedly because they want to now, all of a sudden, desire to purchase additional pumper trucks in the amount greater than the initial six that we gave them authorization for.

This bill really represents, and from

what I understand the process to be, another example of the Administration botching up bid specifications which they continually seem to have a problem properly bidding for major equipment purchases, specifically fire trucks. Many on this Council are not fully appreciative of similar crises that evolved on the purchase of the tiller fire trucks that have become, basically, white elephants in the City that required thousands of dollars of retrofitting and still are not properly the kind of vehicle that we want in the Fire Department.

This is another example of bid specifications being done poorly and improperly. Bids were let out. Several other companies bid. The lowest responsible bidder was not honored. For some reason, I am suspect of the whole bidding procedure and I would ask the Administration to go back to the drawing board to seek some professional help and whatever else they need to do to begin to reconstruct a proper bidding procedure. We have vendors in this country that will no longer do business with the City because the basic attitude has developed, "Well, forget about doing business with the City; either they're going to botch up the bid or somebody's got the inside track or one thing after another." That's got to stop.

There are over 50 companies that produce pumper trucks; only four bid. One was the lowest responsible bidder. Somebody has the inside track, as far as I'm concerned, on these pumper trucks. Same thing with the tiller truck, and I think that's the Pierce Company. If there's some reason why Pierce should have these trucks, then just design the bid so they're going to get the bid in the first place. Don't carry on this shenanigan and this charade and then throw all the bids out and then come back to Council under the guise of, "Well, we now want to purchase more pumper trucks so we have to amend the legislation to give us the new authorization."

I'm saying that the whole thing is suspect and the whole thing better be investigated by somebody in the Administration. I can't understand why some of these vendors, and I appreciate the sensitive nature and the predicament they're in, nobody really wants to take the City on, nobody really wants to talk publicly about the problem, nobody really wants to initiate a lawsuit. But as far as I'm concerned, the whole thing stinks. I think the Director is incompetent as it relates to bidding the work properly as it relates to the purchase of pumper trucks, and I think somebody in the Administration better start looking at this situation.

I'm all in favor, obviously, of purchasing this equipment, but I'm voting no in principal on this authorization. They already have the authorization to purchase the six and I'll bet \$100 that the Pierce Company mysteriously wins the next bid. That's \$100, it's on the public record, and I'd like to have that so noted.

Michelle Madoff:

With all due respect to my colleague, and I know what he's referring to, I think it would be inappropriate to vote on that bill today. I think we should have the Fire Chief and the Purchasing Department be here and define or respond to what was said here today before we vote on that bill. I don't think it would be fair to the public. I make that as a motion.

Mr. Darkins seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

Also,

Bill No. 230

A Resolution entitled, "Resolution amending Resolution No. 1045, effective December 29, 1989, entitled, 'Providing for the letting of a Contract or Contracts for the furnishing and delivery of tractors and attachments and providing for the payment thereof,' by increasing the project allocation by \$107,000 from \$193,000 to \$300,000."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff	Mr. Wagner (Pres't)
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AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 374

Report of the Committee on Parks and Recreation for February 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 253

A Resolution entitled, "Resolution authorizing the City to enter into a lease and operating agreement with Neville Ice Arena, Inc. for the use, operation and management of the South Side Ice Rink and adjacent property as an enclosed ice skating rink and for other recreational purposes."

Which was read.

Mr. Ricciardi:

In order to give all my colleagues on City Council an opportunity to review the lease for the ice skating rink in South Side, I'd like to recommit Bill No. 253 to Committee.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

Bill No. 256

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Center Facilities in the amount not to exceed \$256,265.00, chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 257

A Resolution entitled, "Resolution providing for a Lease or Leases and/or a License or Licenses for the use of certain property for a Community Recreation Center located at 200 Tabor Street at

a yearly rental cost not to exceed \$8,700.00, payable from Code Account 1801, Miscellaneous Services, Index Code 180109, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 258

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Rugby Club for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Twenty-Two Thousand Five Hundred (\$22,500.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 259

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the American Waterways Wind Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1833, (183301), Concerts, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 260

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 261

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the New Group Theatre for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed One Thousand (\$1,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 262

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Dance Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838,

(183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 263

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Overbrook Athletic Association, Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand Five Hundred (\$7,500.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 264

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Laurel Highland Regional Theatre Company for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 265

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Highland Park Community Club for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 266

Resolution providing for an Agreement or Agreements with the Arsenal Board of Trade for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand (\$3,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 267

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Ballet for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also, -

Bill No. 268

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Three Thousand \$3,000.00 Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 269

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 270

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Champions Association Inc. for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff Mr. Wagner
Mr. Millionses (Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 271

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the Pitts-
burgh Childrens Festival for the furnishing of
professional services for the benefit of the resi-
dents of the City of Pittsburgh; and providing for
the payment of the cost thereof not to exceed
Ten Thousand (\$10,000.00) Dollars, chargeable
to and payable from Code Account 1837,
(183707), City Wide Events, in the Department
of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeable
to law, and were:

AYES:

Mr. Cohen Mr. Millionses
Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Also,

Bill No. 272

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the Western
Pennsylvania Conservatory for the furnishing of
professional services for the benefit of the resi-
dents of the City of Pittsburgh; and providing for
the payment of the cost thereof not to exceed
Fifteen Thousand (\$15,000.00) Dollars, charge-
able to and payable from Code Account 1838,
(183806), Miscellaneous Services, Recreation,
in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeable
to law, and were:

AYES:

Mr. Darkins Mr. Regan
Mr. Ferlo Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Millionses (Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Also,

Bill No. 273

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Sharing and Caring for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Seven Thousand (\$7,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Miliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES none

(MR. WAGNER ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 274

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Forty-Five Thousand (\$45,000.00) Dollars, chargeable to and payable from Code Account 1833, (183301), Concerts, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 275

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the River City Brass Band for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the costs thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 276

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert Morris College for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Eight Thousand (\$8,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 277

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ozanum Cultural Center for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Twenty Thousand (\$20,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 278

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Organization for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Six Thousand (\$6,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 279

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Duquesne University for the Duquesne Tambu-

ritans for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 280

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Civic Light Opera for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Fifteen Thousand (\$15,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 281

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Trust for Cultural Resources for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Twenty Thousand (\$20,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 282

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the University of Pittsburgh for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Twenty Thousand (\$20,000.00) Dollars, chargeable to and payable from Code Account 1838, (183806), Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

Mr. Ferlo:

Mr. Chairman and members of Council,

on Bill 282 regarding the \$20,000 payment to the University of Pittsburgh for the Shakespeare Festival, if William Shakespeare were alive today he certainly would be the kind of guy who would want to sit in the local pub and have a slug and a mug. But the University really does not need this money. We're going after the Universities for taxes and other kinds of contributions that we feel are warranted to City government. We're also talking about an Administration that now is saying that they'll never reach the budgeted number of police officers and they're talking about major problems associated with providing public safety to the Regatta and to the Three Rivers Arts Festival and other kinds of events.

It's totally a contradiction as far as I'm concerned and a lack of appreciation for what our priorities should be to give this money to the theater group at the University for the Shakespeare Festival which basically amounts to going up to Flagstaff Hill and making it available to all the suburbanites as well as some City residents.

I love the activity and I think it's great that people go to the Shakespeare Festival. I just don't believe the University should receive a \$20,000 contribution from the City. If we want to do something for theater, let's continue to do things like we did today granting a neighborhood based theater group in Lawrenceville some money so they can put their building together which is falling apart and let's bring some theater and culture to some low income and minority individuals who I think deserve an opportunity. We gave a very little amount of money to the Homewood Art Museum.

Let's really talk about priorities. As far as I'm concerned, giving the big old University \$20,000 for the Shakespeare Festival is misguided and I certainly will be voting no on this appropriation, with all due respect to William

Shakespeare.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 5 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 283

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of park landscaping equipment for the Department of Parks and Recreation, payable from Code Account FPTF, Index Code 252305, Frick Park Trust Fund, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 284

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for resurfacing renovations for the Department of Parks and Recreation, payable from Code Account PR86-02, 4-10-10-0002-86, Index Code 320895, Resurfacing Park Roads, Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo presents

No. 385 Resolution approving the reappointment of Joan Ivey, 1368 N. Sheridan Street, Pittsburgh, PA 15206 as a Member of the

City of Pittsburgh Historic Review Commission for the unexpired three year term, which will expire December 31, 1991.

Which was read.

Also,

No. 386 Resolution approving the reappointment of Ralph R. Alster, 4716 Ellsworth Avenue, Pittsburgh, PA 15213 as a Member of the City of Pittsburgh Historic Review Commission for the unexpired three year term, which will expire December 31, 1991.

Which was read.

Mr. Ferlo:

Mr. President, I'd like to make a motion to invite these individuals to a Wednesday session prior to a final vote on them.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Mr. Darkins has a motion on Parks and Recreation. Is that a formal motion?

Mr. Darkins:

Yes, I'd like to read this into the Record.

This morning I am pleased to acknowledge an office that I did not realize played a role in making contributions to Black History Month observance for the residents of the City of Pittsburgh.

Since 1988, they have supported many events including Pro-journalist essays, African Drum and Dance Assemblies, community mar-

keting classes and original dramatic productions and a City-wide recall contest of African American experience.

I am honored to recognize that the City of Pittsburgh and our Parks and Recreations for their contributions and support they have given to the Black History Month observance.

The Chair:

Thank you, Councilman Darkins.

Michelle Madoff:

Mr. President and Members of Council, I have three items, and I'll try to be as brief as I can. I'll start with the least pleasant.

As I walked into Council today, I was served with a subpoena in connection with Benjamin Woods and the Pittsburgh Publishing Company. We had requested from the Law Department a methodology of how Members of Council who, because of their jobs, have to hire an attorney would do so. As yet, we have not received that. I understand the letter we got was to be thrown away. Somehow the note on Mr. Specter's desk was not to be sent to us. So, we do not have any method yet of covering our legal expenses. And, obviously, since I'm requested to be there on Tuesday, I will take a lawyer and I expect my expenses to be covered.

I think we need to get on with the President of Council getting an answer to the request that was made. I'm not sure, but I think it was Mr. Wagner who did request for some kind of formula to be developed or a method of how we would address this problem.

My second item, which is also very brief, is that I talked to all members of Council, I believe on Thursday, about a problem that has arisen in regards to the safety particularly of our

staff. We have a disgruntled, very unhappy citizen who has been in and out of our office who has a real problem, and I'm not sure that it isn't a justified problem. But it's one of those unfortunate things that have happened that have practically bankrupted him and he will probably lose his home and he is so irate that he is threatening to take action, shoot people up, etc.

I've talked to all the appropriate agencies, all the departments here, to speak with him and see what we can do to calm him down. We're trying to help in every way we can.

But this brings home the issue of safety that was passed here in Council but was not acted upon. We voted to put a metal detector at the door, or to look into having a metal detector as we come into the building, particularly for the judges who had some problems, where you come in on Grant Street, you can leave on Ross but you can't come in from that direction, and have a metal detector. There must be some kind of security in this building, particularly up here in Council.

What I'm asking, and I spoke to Mike Perry about it and I've talked to other members of Council, is that we get some bullet-proof glass at the entrance to the Mayor's Office and to our Office, a buzzer system to let people in, and a speaking box so people can announce themselves and who they're here to see and get it clear before they come through it.

It is a very serious problem. I don't think we can ignore it because if somebody gets hurt, we're going to say, "Why didn't we address this issue?"

Mr. Darkins:

I'd like to address that issue, Mr. President. This was only brought to my attention by one of your staff people the other day about this

particular individual. Had I known that this individual was going to Council and had I been contacted, I could have given you the entire background of this whole situation because, as I was the Chief Deputy of the Clerk of Courts Office, it came through our Bureau. But I was never contacted, I never knew anything about it until this individual appeared on this floor. I don't think that he can endanger our lives or anyone else's lives.

Michelle Madoff:

I don't think that's the issue. The issue doesn't relate to whether somebody will or will not act. As a matter of fact, I had asked my staff to contact you about perhaps talking to him because I did not know that you knew the story and I'm delighted that somebody will, hopefully, interact.

As I said earlier, I'm not so sure that the man wasn't treated shamefully but I don't know what recourse we have through the courts. We're trying to help; we're trying to do what we can, and have been for a very long time. But this man was removed previously from the Mayor's Office with a gun by two guards. This is not the first time this has happened, not with him but with other people. We've had episodes in the court and I just think we need to get on with security in this building and I don't think we should necessarily pinpoint, and maybe that was my fault saying that one person can cause problems. But here's an example that brought it to mind.

I would suggest that the President of Council find out what the next move would be. We have legislation, it passed this Council, but it was never acted upon. Do we want to have another bill? Is it just a procedural thing where the President gets together with Mike Perry and says, "Yes, let's order some glass and get on with it."? Or do we want to make this a big resolution

and go through a hearing, which I don't think is necessary.

The Chair:

I don't recall specifically the bill that was passed by Council where we asked the Administration to take certain measures.

Michelle Madoff:

We passed in Council that we would have a metal detector for this room and then we talked, as well, about having the whole building secured for the judges. That was to be discussed with the Administration but, at the very least, since there is a pending possibility -- One doesn't know what's in anybody's mind. I mean, I know people that I never thought would commit suicide but they have and it surprised me.

I do think that we ought to not delay and we ought to move. This is not an expensive item. I think the metal detector is \$2,000. People come in one door. And the glass for the two doors and the speaker box and a buzzer is not an expensive item. I think an ounce of prevention is worth a pound of cure.

Mr. Ferio:

Mr. President, I am totally opposed to plate glass or buzzers or people announcing themselves. This is an open government. People come to the counter and they want services and they want individuals. I am totally opposed to any notion of expenditures, or even the need. If somebody wants to shoot somebody, it's going to happen. I don't care what anybody says. And as far as I'm concerned, this whole thing is much to do about nothing. And if we have a problem then somebody should indicate to me what the problem is, and that hasn't yet been demonstrated, even the need for a metal detector.

And I think the matter really should be referred to the Public Safety Department. We have a Public Safety Director, we have Chief Pampena from the Police. If there's something we need to refer to them, we should just do that. If there's some advice we want to seek from them, they are most experienced. And I'm certainly not going to pay to protect judges; they can pay for that themselves. If we're going to pay for anything in this building, let's pay for cleaning up the lobbies which need to be cleaned.

Mr. Cohen:

Mr. President, I do think that we need somehow to secure the premises. There have been too many instances, nationally and at local levels, too, where people have been shot by deranged people. So, what I would suggest is not for us to decide here what the means are for securing the premises, but we give Director Cannon a call, the Public Safety Director, that he obtains a security expert, that maybe the President could set up a meeting with Councilmembers who are interested. Let's talk to an expert about what needs to be done and go ahead and do it. I think that something is necessary; I'm just not exactly sure what.

Michelle Madoff:

Mr. President, I think my colleague, Councilman Cohen, has stated it very succinctly. I am not assuming that I'm an expert or that this Council is an expert. We did discuss at that time with the Safety Director about having a metal detector. They were not adverse to it. But I think it might be well advised to go back again, the President of Council, go back again and talk to the Safety Director. If you want to introduce it as another piece of legislation for Wednesday, they can come in and we can discuss it then. I don't think it should be done in that mechanism. What I was asking is, what procedure do you

wish to take as President of Council to pursue what we should or should not be doing.

The Chair:

I think the ideas brought up here are legitimate. Why don't we simply ask the Director of Public Safety to take a look at the building in general and make recommendations as to how we can improve security, maybe even with identification passes. I think every City employee should have one for off hours. And maybe some other recommendations that any Councilmember can make. But anything that's done has to be done jointly with the County.

Michelle Madoff:

Exactly. What I'm saying, Mr. Wagner, is that when we say, "Why don't we do it?", somehow or other a year goes by and we don't follow up and we forget about it and that's why it might be appropriate to just introduce some legislation to say that we ought to look at security the building in general concept, have them come here on a Wednesday, then they have an assignment and they get back to us. That may be the way to proceed, unless you want to take the responsibility upon yourself. I don't care.

The Chair:

We will send a letter to Director Cannon asking him to look at it immediately. If he needs outside expertise, then he'll have to come back to Council for the allocation of dollars to do it.

Mr. Regan:

Mr. President, I absolutely, positively think that these women should be protected out here. Although Mr. Ferlo is not a big man in stature, I've seen him duke it out pretty good in here and he's an expert. But I think those ladies, they're not wrestlers or fighters. If someone comes in here and he's deranged or has a prob-

lem of some sort or we vote on bills which reach a lot of people, I think these ladies out here should absolutely be protected. I've seen it as a District Justice where they shot at a District Justice and hit the secretary. I just think that we need protection for these ladies out here because they're the front line; we're in the back.

Mr. Ferlo:

Bullets do not have a gender bias.

The Chair:

Thank you.

Michelle Madoff:

On another matter. I happened to hear your comments on the news about the research grants and I couldn't agree with you more, Mr. Wagner. So, I have a statement that I'd like to make and ask for a motion regarding the research grants.

It appears that the Masloff Administration is looking at taxing research grants to our local universities. My research indicates that taxing grants for the State or Federal Government would be illegal. You cannot tax government. Yes, it would probably be legal to tax research grants and corporations to the schools, but I believe this would be self-defeating. It might be a win and a lose at the same time, even if we got the money.

First of all, we would be sending the wrong message. Secondly, this action would discourage corporations not based in the Pittsburgh area to look to other research schools where all the dollars would be spent entirely on research and not on subsidizing the tax base of Pittsburgh.

As I previously stated, the tax exempt

non-profits helped us lobby for tax reform which went down the tubes. However, since I convened this group in October of 1988, they continue to function as an ad hoc group. In recent weeks, I have spoken with many of their leadership and I'm convinced that they are very sympathetic to Pittsburgh's tax needs. And I'm also convinced from discussions with them that if we had a mechanism to assess the individual tax fees for City services, they would pay their fair share.

To this end and for the purposes stated, I'm hereby making a motion that we obtain a figure for an assessment for each tax free entity, a service fee schedule for providing police, fire, paramedic services, water, street clean up, road repair, snow removal, trash collection, litter removal, and anything else that I haven't thought of.

We should have this information as a Council at the earliest possible moment and support the Administration in obtaining these justifiable dollars. And I believe they will pay them.

I'd like to make that as a motion, that we ask the appropriate agency in the Masloff Administration to give us what would be the dollar for whatever hospital it would be. Come up with a percentage formula and let's get on with it. And let's not look for Micky Mouse ways to embarrass ourselves nationally.

Many of the grants, as I researched in the last few days, do not come from local corporations; they come from out of state and they don't have to come here. They can go to other schools in other parts of the country. They told me where the schools would be and they would resent this enormously. So, we get the money but we lose the benefits. And the research does create jobs here. I think it's very self-defeating.

I don't think the Administration thought

it through completely; I don't even think they're married to it yet. But before we go any further with it, and I'm not saying that the Administration is entirely wrong in what they're looking at on the overall concept. I mean, I'm offended when I find out that a doctor is practicing in a hospital and using their space and is in private practice. I've seen that happen. I know there are garages, I know there are buildings in hospitals, and even in the universities, that are buildings that should not be tax exempt. There is a certain amount of that that I would support. But I think this issue of research grants and taxing is absolutely ludicrous. It sends a bad message and a bad image.

I make that as a motion that we get some kind of interaction with the Administration so that we can support the Administration to get a service fee for all the things I've listed. That's my motion.

The Chair:

So, the formal motion is, if I am correct, that we obtain figures for an assessment for each tax-free entity, a service fee schedule for providing police, fire, paramedic services, water, street clean up, road repair, snow removal, trash collection, litter removal, etc.

Michelle Madoff:

And I repeat, I believe that they're receptive and will be very happy to pay this. Maybe not happy, but they'll do it.

Mr. Ferlo:

I'll second it for purposes of discussion, even though I don't agree with it.

Mr. Chairman, I really don't want to do anything that's going to detract from the Administration's ability at this time to wage the cam-

paigned that they're waging. I don't have any problem if the universities, either voluntarily or through some system that Michelle would devise, would in some way pay user fees for services that we provide to them. But we are, right now, in a situation where the Administration, as far as I'm concerned, has taken leadership to go after profit relationships that exist in the non-profit setting of the university and health community. And as far as I'm concerned, sports at the Pitt Stadium is big business and if there's a way that we can delineate the profit nature of that activity, we should get some money out of it. I don't think that's an unreasonable activity.

I don't think it's unreasonable for the Graphic Arts Institute, which sounds like a non-profit group, but the Graphic Arts Institute on Forbes Avenue in Oakland in Craig Street is a profit company. It does printing and professional writing. It's a profit oriented company. Why should they have a competitive edge over some other for profit operations only because they've been able to be sophisticated enough to understand the IRS Code and define themselves with a viable 1 status?

I think the Administration is being very reasonable and I think at this time we should stand behind the Mayor, behind Director Haylar who I refer to as the Sheriff of Nottingham, and anybody else in the City government who is right now embarking and engaging in a very well thought out, sophisticated campaign and getting revenue from institutions who have now contributed to this City being close to 50 percent tax exempt. I wouldn't want to do anything that is going to detract from the times -- It's like going into battle; you don't want division. I think we're going into battle.

It's rare that we've seen such cooperation with the County. We have the County Solicitor also very supportive and linking arms with the City Administration on the efforts that are now

underway before the tax property board assessors. I think we ought to stand behind them and go for the throat, as far as I'm concerned.

It has nothing to do with saying that we don't appreciate the tremendous contributions of the university community or the research community. There are communities even in Florida. The State of Florida passed legislation which was later repealed due to some politics that actually began to tax the service industry which we have to recognize is pretty much the new industry in this City and will occupy that place for the next decade and beyond.

So, I think what the Administration is up to is very reasonable. It's in cooperation with the energies of County government. I think it could probably be a successful strategy because there are many for-profit relationships that exist under the guise of the non-profit setting. I think it's about time that everybody in this City contribute as the burden has been placed disproportionately on the backs of working class families and low and moderate income individuals in the City, and that can't continue.

Michelle Madoff:

I'd just like to clarify something. I am not saying that we should not encourage and support the Administration. And where it is reasonable, to support everything they're trying to do. Except, I think in this particular research grant, I think it's a big lose for the City.

Mr. Ricciardi:

Mr. President, presently I'm very pleased with the direction the Administration is taking in acquiring as much payments as we can from tax exempt institutions. I think Michelle's motion is a good motion and I would have supported it a year ago, but right now I don't think it's needed. I'm very pleased with the direction that we're taking.

The Chair:

I'd simply like to comment. I think the motion has good intent but I think it needs to be clarified more in terms of what the Administration is presently doing and what we would like them to do. In the memo passed out entitled, "Research Grants", the motion we're voting on really is not that. I think what we're talking about here is simply tax exempt status and --

Michelle Madoff:

I'm coming up with an alternative. I'm making a suggestion for an alternative. Having spoken to the entities and believe that they would support it so that we could keep the City not at each other's throats but working together and let's get the money we need.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff

AYES 1 NOES 6

VOTING NO:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner (Pres't)

(MR. COHEN ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

All Councilmembers are aware that the public hearing today has been cancelled at 2:00 due to legal conflicts in having the hearing. There's a post agenda immediately following on vendors which will be chaired by Mr. Ferlo following this meeting.

Michelle Madoff moved to excuse Mr. Coyne for absence from the meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of Michelle Madoff

Council adjourned.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text outlines various methods for organizing and storing data, including digital databases and physical filing systems. It also mentions the need for regular audits and reviews to ensure the integrity of the information.

2. The second part of the document focuses on the role of communication in achieving organizational goals. It highlights the importance of clear and concise communication, both internally and externally. The text provides guidelines for effective communication, such as using appropriate language, listening actively, and providing feedback. It also discusses the benefits of open communication and how it can foster a collaborative work environment.

3. The third part of the document addresses the issue of resource management. It discusses the importance of identifying and allocating resources effectively to support the organization's mission. The text provides strategies for managing resources, including budgeting, prioritizing tasks, and monitoring progress. It also mentions the need for flexibility and adaptability in resource management, as circumstances may change over time.

4. The fourth part of the document discusses the importance of continuous learning and improvement. It emphasizes that organizations should strive to stay up-to-date with the latest trends and technologies in their field. The text provides suggestions for promoting a culture of learning, such as offering training opportunities, encouraging innovation, and seeking feedback from stakeholders. It also mentions the importance of evaluating the organization's performance regularly to identify areas for improvement.

5. The fifth part of the document discusses the importance of maintaining a strong ethical foundation. It emphasizes that organizations should adhere to high ethical standards and principles in all their activities. The text provides guidelines for ethical decision-making, such as considering the interests of all stakeholders, being transparent, and acting with integrity. It also mentions the importance of reporting and addressing any ethical concerns promptly.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, March 6, 1990

No. 10

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, March 6, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presents

No. 437 WHEREAS, on Saturday, March 10, 1990, the Knights of Equity Court No. 9, and the Daughters of Erin will celebrate their annual St. Patrick's Day Banquet and Dance at the Station Square Sheraton; and

WHEREAS, the Knights of Equity was founded in 1895 for the spiritual, material and social development of Catholic Irish-Americans, the teaching of Irish history and culture, and the defense of the cause of freedom of the people of Ireland; and

WHEREAS, today members of the Knights of Equity and Daughters of Erin constitute a vast and energetic society, directing their efforts toward mutual assistance, helping the church, working for the cause of liberty for Ireland, and denouncing discrimination in all its hateful forms.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby extends its sincere best wishes for the success of the St. Patrick's Day Banquet and Dance; and

BE IT FURTHER RESOLVED, that the Council extends its gratitude and appreciation to the Knights of Equity, Court No. 9, the Daughters of Erin, and all persons participating in the week's festivities.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

Joining us today are Mr. Don Gillespie and Mr. Walter Vanslow. Mr. Gillespie is the Vice-Sir Knight of the Knights of Equity and also is a Councilman in the Borough of Millvale. And Mr. Walter Vanslow is a resident of the Mount Washington area and is the Chairman of the Board of Directors for the Knights of Equity.

Jack Gavin and Mr. Bernie Cusick who usually come to accept this proclamation yearly are today meeting with the Irish Prime Minister and the Irish Ambassador in Washington, D.C. to further the cause of Irish Reform Immigration.

Mr. Gillespie:

On behalf of the Knights of Equity, the Daughters of Erin, I'd like to extend thanks to Councilman Coyne and to the rest of the Council for voting for us, and at the same time, extend an invitation to join us in our festivities. Thank you.

Mr. Coyne:

My next resolution is commending Ms. Arlene Stromberg for her work as the Executive Director of the Squirrel Hill Urban Coalition.

Mr. Coyne presents

No. 438 WHEREAS, Arlene Stromberg has been Executive Director of the Squirrel Hill Urban Coalition since August, 1985; and

WHEREAS, the Squirrel Hill Urban Coalition is a community-based organization which is involved in public and private development, maintains the crime prevention network in the 14th Ward, is involved in overall public safety, and monitors traffic and parking for the community; and

WHEREAS, Arlene Stromberg is the founder of the Coalition's long range planning program for Squirrel Hill which extends to the year 2010; and

WHEREAS, the Squirrel Hill Urban Coalition is financially supported solely by the contributions of community residents, and receives no public funding; and

WHEREAS, Arlene Stromberg has also been active in many City-wide organizations including the City of Pittsburgh NeighborFair and worked closely with bill board issues; and

WHEREAS, Arlene Stromberg has been offered a job in Harrisburg serving as a Management Analyst for the Bureau of Management Services for the State of Pennsylvania, and will resign as Executive Director of the Squirrel Hill Urban Coalition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Arlene Stromberg for her dedication to the Squirrel Hill Urban Coalition and the City of Pittsburgh communities and residents, and extends best wishes to her for success and happiness in all her future endeavors.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne:

We have with us today Arlene, and Wayne Gerhold who is the President of the Squirrel Hill Urban Coalition.

Mr. Gerhold:

Breifly, we're viewing Arlene's leaving with mixed emotions. We're very happy that she can further her career in Harrisburg. On the other hand, her services to the Squirrel Hill Community will be sorely missed. She brought the activities of the Coalition, in serving the Squirrel Hill, Point Breeze area, to a much, much higher level than we ever thought possible, particularly in the long-range planning and our Block Watch Program. So, once again, we're going to miss her alot.

I'd also like to thank Michael for introducing this resolution and recognizing Arlene's service.

Ms. Stromberg:

I'd like to say thank you both to Michael and to Council. I was overwhelmed when he indicated that I would get this proclamation. I never believed that a little Jewish girl from Squirrel Hill and from Cleveland Heights, Ohio would stand before Council and thank you. And thank the City for the privilege of working with the Coalition and working with all the executives and the administrators that I've worked for. It's been a real privilege and a pleasure for me, and I know that you will all be hearing from Squirrel Hill continuously. Thank you very much.

Michelle Madoff:

Arlene, this little Jewish girl was one of the founding members.

Mr. Regan:

Arlene, this little Irish kid would like to say, "Zei Ge Zunt" which means, "Go in good health".

Mr. Ferlo:

I'd like Mike Stoudt and Tom Croft to come up, please. This resolution has to do with the Industrial Renaissance Conference that will be held here later this week.

Mr. Ferlo presents

No. 439 WHEREAS, the first Conference on National Industrial Renaissance was held in our nation's Capitol in September, 1989 for the purpose of developing new national policies towards rebuilding the manufacturing base and revitalizing industrial communities; and

WHEREAS, the Steel Valley Authority, the Tri-State Conference on Steel and the United Steelworkers of America, Pittsburgh-based organizations, were the leading organizers of the Conference, along with the newly-formed Federation for Industrial Retention and Renewal (FIRR); and

WHEREAS, the Conference was co-sponsored and attended by over 100 leaders from around the country from government, labor and management, academia, religion, economics and community, including two dozen municipal, regional and community-based industrial jobs programs, a half-dozen leading state industrial services programs, one dozen international unions and state labor councils, progressive manufacturer representatives, federal delegates, national churches, and several national economic policy groups; and

] WHEREAS, Pittsburgh's own Steel Valley Authority was held up as a model for other

regions and communities in reversing industrial dislocations and regenerating manufacturing jobs; and

WHEREAS, the first major follow-up meeting to the conference will be held in Pittsburgh at the United Steelworkers of America headquarters all day Friday, March 9, 1990, to be followed by a reception celebrating the Grand Opening of the SVA's new offices and

WHEREAS, the City of Pittsburgh has always been on the cutting edge of preserving and redeveloping family-wage industries, and saving the jobs of our local citizens, as exemplified by the pioneering work of our Mayors and City Councils over the past decade.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and congratulates the hard work of the organizers and sponsors of the National Industrial Renaissance Conference; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh welcomes the Conference attendees to the City of Pittsburgh and wishes them well in their critically-needed long-term endeavors.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We have two representatives here, Mike Stoudt as well as Tom Croft who is the Executive Director. They've been working very hard for the last couple of years; they helped to bring this national organization into existence. We know them quite well because this Council, as

well as past Councils, have had the wisdom to fund them in order to do some of the important work that they're doing in retaining and saving and developing local manufacturing jobs and good jobs at decent wages.

So, at this time, I'd like to call on both of them to say a few words. I'll call on Mike Stoudt first who, hopefully, will be our next elected State Representative.

Mr. Stoudt:

I'd like to thank all the distinguished Members of Council. On behalf of all the members of the Tri State and Steel Valley Authority, I'd just like to say a few words. If people had the opportunity to see the Pittsburgh Press article that appeared on the front page last night by Mary Kane, there's an article that in a page and a half describes some of the suffering and the tremendous amount of underemployment that still exists in the Mon Valley and in the City of Pittsburgh, of the families who are working two and three minimum wage jobs just to make two-thirds of what they formerly made at their job in the mill or the plant. I think you know as well as me what suffering goes on, not only amongst the poor but the underemployed and the unemployed and how much of it still exists in our area.

To us, the only solution is to join the rest of the ranks of the free industrialized world and to begin to build for a national industrial policy, a national industrial policy that comes just like it did during the Roosevelt years, from the ground up; a national industrial policy that is organized jointly by the businesses, by the unions, by the churches, by the local governments and the state governments, by the academic community, and by the unions and labor. And only when we all pull together, and only when those of us at the grass roots help to pull them all together, are we going to see a dent made in the suffering that continues in this area.

And I'd like to say that the Tri State Conference on Steel and the Steel Valley Authority, come hell or high water, are going to do everything we can to organize and revitalize the manufacturing base. We're going to do it by reopening the South Side electric furnaces, we're going to do it by bringing in the magnetic levitation train system that will put thousands of people to work in this area, and we're going to do it for the former Brauns Bakery workers who are trying to form their own baking company, and we're going to do it for the thousands and thousands of other people that need it.

I'd like to, on behalf of our organizations, thank you very much for your support over the years.

Mr. Croft:

I also want to thank you from the bottom of my heart for all of the Councilmembers here and the Mayor's Office for your support for our efforts.

I would also like to take time, on a little lighter subject, to invite you to the grand opening for the SVA's new offices. Most Councilmembers will have received this. That will be Friday night. Our Homestead office is at 120 East Ninth Avenue in Homestead, Pennsylvania. Congressman Coyne will be there and hopefully we'll have Councilman Wagner and several other local public officials and public leaders who will be there.

I also want to take this opportunity to provide two reports which we've just recently completed; one is the final report for the first year of the Pittsburgh area Early Warning Network which this Council supported where we surveyed the mature manufacturing industries and developed strategies in conjunction with the City and the URA to try to monitor and prevent

plant closures.

I want to also provide a final report for a dislocated worker survey where we surveyed 16,000 dislocated steel and manufacturing workers in the City and the Mon Valley and were able to reach about 4,000 of those who hopefully will be people who can go back to work in some of these job development projects that are on-going.

I think you'll find both reports are both illuminating in terms of the kinds of skilled workers we have here, but also very distressing in terms of the problems of the manufacturing workers and being able to return to meaningful wages. So, I want to provide both of these.

Mr. Coyne:

Mr. Chairman, I would just like to personally congratulate both of these gentlemen. Being a member of the Tri State Conference on Steel, I've had the opportunity to work with Tom and also with Mike Stoudt. I know that Tom has been in the area only a couple of years but has really showed a desire to help the people, help the Mon Valley region, and I'd like to express my personal appreciation.

And Mike Stoudt, I think that you have the vision for the future that this area needs and I commend you for your efforts. I know that you were very heavily involved in the labor unions in the steel mill and, even after you lost your job, you didn't lose interest in the people of the region. And I would like to personally commend you for your leadership abilities and I look forward to working with you in the future.

Mr. Ferlo presents:

No. 440 WHEREAS, the Bon-Ami Temple No. 49 has been in existence in the City of Pittsburgh since its founding on December

12, 1912 and is part of the Improved Benevolent Protective Order of Elks of the World; and

WHEREAS, this outstanding fraternal organization has helped to fulfill various cultural and social achievements throughout its proud history by contributing to many worthy causes such as Camp Achievement, the Sickle Cell Society and the Burn Unit of West Penn Hospital; and

WHEREAS, on Sunday, March 11, 1990 we come together as part of the 19th Annual Community Awards Dinner Celebration; and

WHEREAS, we join in praising and recognizing the outstanding achievements of several important citizens including Mr. John Christian, Writer, Producer and Host of "Black Impact", WPXI-TV, Mr. Porky Chedwick, Mr. Music of the Years "Originator", Bishop Duane A. Darkins, Councilman, City of Pittsburgh, and Ms. Nancy Lee, Coordinator of the African Heritage Classroom, Pittsburgh University; and

WHEREAS, the City of Pittsburgh is proud to recognize Mr. Elk, Brother James Callahan and Ms. Elk, Daughter Gloria Vaughn as part of the ceremony.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares Sunday, March 11, 1990 as Bon-Ami Temple No. 49 Day in the City of Pittsburgh and extends best wishes to the membership in all their worldly endeavors.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 387 Resolution amending Res. No. 1043, effective Dec. 29, 1989, entitled, "Providing for a contract or contracts, or use of existing contracts, for Concrete Step Construction or Reconstruction at various locations, including but not limited to Sterling Street, Judicial Street, Baldauf Street, Hancock Street, and St. Leo Street; and providing for the payment of the cost thereof," by increasing the total project allocation by \$200,000.00 from \$200,000.00 to \$400,000.00.

Also,

No. 388 Resolution amending Res. No. 991, effective Dec. 27, 1989, entitled, "Providing for a contract or contracts, or use of existing contracts for Construction/Reconstruction of Various Retaining Structures, including but not limited to Baker Street, Holt Street, Bartlett Road, Andover Terrace, Dakota Street and Pusey Street; and providing for the payment of the costs thereof," by increasing the total project allocation by \$130,000.00 from \$500,000.00 to \$630,000.00.

Also,

No. 389 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Roofs at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account EC 90-211, "1989 Project Fund".

Also,

No. 390 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Play Areas, including but not limited to the 52nd St. Court, the 57th St. Court, and Heldman Playground, at a cost not to exceed \$450,000.00, chargeable to

and payable from Code Account EC 90-369, "1989 Project Fund".

Also,

No. 391 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Commission of an Artist or the Purchase of Art Work to be applied as related to Capital Projects at a cost not to exceed \$45,000.00, chargeable to and payable from Code Account EC 90-441, "1989 Project Fund."

Also,

No. 392 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Design Services in connection with the Reconstruction and Stabilization of Various Retaining Walls, including but not limited to Andover Terrace, Dakota Street, Pusey Street, Rubric Street and Sprain Street, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 90-210, "1989 Project Fund".

Also,

No. 393 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts for Renovations of Various Public Buildings at a cost not to exceed \$342,000.00, chargeable to and payable from Code Account EC 90-226, "1989 Project Fund".

Also,

No. 394 Resolution providing for the release from the Corliss Street Roadways Corporation, for waterline improvements, in lieu of condemnation, an easement on, over, across,

and through certain property due east of the Chartiers Avenue Bridge in the 20th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 395 Resolution adopting Official Sewage Facilities Plan for Down by the River-side.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 396 Resolution authorizing the Mayor and the Chief Administrative Officer of the City of Pittsburgh to enter into an agreement or agreements in individual amounts of \$10,000.00 or less with various contractors with specialized skills in connection with the City's Solid Waste Management Program, chargeable to and payable from Code Account 1173, Recycling Services, Department of Environmental Services.

Which was read and referred to the Committee on Finance.

Also,

No. 397 Resolution providing for a Con-

tract or Contracts, or the use of existing Contracts, for public sidewalk construction at various locations within the City of Pittsburgh, at cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 35, Public Property Sidewalk Program.

Also,

No. 398 Resolution vacating a portion of Lipton Way from Dartmore Street Eastwardly 79.93' to a point by 20' in the 29th Ward of the City of Pittsburgh. (COUNCIL DISTRICT #4).

Also,

No. 399 Resolution granting the Gustine Company of 2240 One Mellon Bank Center their successors and assigns the privilege and license to construct, maintain and use, at their own cost and expense, a handicap ramp on a portion of the sidewalk of 21st Street in the 17th Ward, 3rd District of the City of Pittsburgh.

Also,

No. 400 Resolution granting Howard T. Gilfillan of 68 S. 11th St., his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a step and porch on a portion of the sidewalk of 11th St. in the 17th Ward of the City of Pittsburgh, 3rd District.

Also,

No. 401 Resolution granting The Greenfield Organization, Inc., their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a sign and planter on a portion of the traffic island at Greenfield Avenue and Alger Street in the 15th Ward, 5th District of the City of Pittsburgh.

Also,

No. 402 Granting Wendy's Southeast Company, their successors and assigns the privilege and license to construct, maintain and use, at their own cost and expense, two thornless honey-locust trees on a portion of the sidewalk at 5438 Baum Blvd. in the 8th Ward, 8th District of the City of Pittsburgh.

Also,

No. 403 Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto, at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account PW 13, Citywide Resurfacing Program.

Also,

No. 404 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal revisions in Squirrel Hill and other work incidental thereto, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 89-13, Squirrel Hill Traffic Improvements.

Also,

No. 405 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant at a cost not to exceed \$110,000.00, chargeable to and payable from Code Account PW 13, Citywide Resurfacing Program.

Also,

No. 406 Resolution providing for a Con-

tract or Contracts, or the use of existing Contracts, for Street Lighting Transfers at various locations throughout the City at a cost not to exceed \$160,000.00.

Also,

No. 407 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Concrete Slab Replacement at various locations within the City of Pittsburgh at a cost not to exceed \$600,000.00, chargeable to and payable from Code Account PW 18, Concrete Slab Replacement.

Also,

No. 408 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the renovations or construction of walls and related facilities of City property at various locations throughout the City at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 216, Emergency Wall Reconstruction Program.

Also,

No. 409 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the novation or repair of concrete streets at various locations throughout the City of Pittsburgh at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account PW 17, Concrete Overlay Program.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 410 Resolution authorizing the Fourth Amendatory Cooperation Agreement with the URA of Pittsburgh for the Crawford-

Roberts Redevelopment Project pursuant to which the City of Pittsburgh will convey the City's right, title and interest in the real property.

Also,

No. 411 Resolution authorizing the URA of Pittsburgh to convey and the City of Pittsburgh to acquire the property designated as Block 8L Lots 80, 86 and 175, for the sum of \$1.00 in the 22nd Ward of the City of Pittsburgh in Redevelopment Area No. 39 (PARK).

Also,

No. 412 Communication from Councilman, Jim Ferlo, requesting authorization for Irene McLaughlin and Carolyn Hook, Administrative Assistant's, to attend the "Planning for Preservation: Managing Growth in Urban Areas" conference in Pittsburgh, PA, March 22-23, 1990, at a cost not to exceed \$310.00, payable from Code Account No. 1001-3, Education and Training, City Council.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 413 Resolution providing for the issuance of a \$2,328.18 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage incurred to a van used during the summer painting program, payable from Code Account No. 46, Judgments.

Also,

No. 414 Providing for the issuance of a warrant in favor of WTAE Division, The Hearst Corporation, in the amount of \$2,478.00 in payment for radio advertisements furnished for the benefit of the City in connection with the Pitts-

burgh Partnership Employment Program, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 415 Resolution authorizing the Director of the Department of Finance to establish a fee for a Memorandum of Payment for City and School Real Estate taxes and/or Sewage Charges that have been paid or are due the City of Pittsburgh for property located in the City. All fees collected under this authorization shall be deposited in the general fund, revenue item; Rentals and Charges-Departmental, Service Fees.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 416 Resolution authorizing the transfer of \$146,800.00 from Code Account 1443, Salaries and Wages, Bureau of Police to Code Account 1457, Uniform Allowance, Bureau of Police, Department of Public Safety. This transfer is necessary due to the increase in uniform allowance awarded through Arbitration. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 417 Resolution amending Res. No. 41, approved Feb. 8, 1990, effective Feb. 15, 1990, entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a computerized mapping and geographic information system (PAGIS) for the Bureau of Fire" and increasing the amount from \$35,500.00 to \$45,000.00, chargeable to and payable from the Department of Public Safety,

Bureau of Fire, Code Account 1464, Equipment.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 418 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of February, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, District #3, City Council. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Mr. Wagner presented

No. 419 Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation to change the name of Frazier Field in the 4th Ward to Dan Marino Field. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 420 Resolution providing for the issuance of a warrant in favor of NBI (Fifth Avenue Place), Suite 2660, Pittsburgh, PA 15222), in the amount of \$16,784.00 for the purchase of two NBI PC Units and a printer in the City Clerk's Office, chargeable to and payable from Code Account 1006, Equipment. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 421 Resolution providing for a Lease or Leases for the use of certain property for City Council District Office facilities, in the aggregate amount not to exceed \$45,000.00 (\$5,000.00 for each Council District), chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc., City Council (Index Code 100115). ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on General Services.

Also,

No. 422 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of Councilman Duane Darkins, 7016 Upland Street, Pittsburgh, PA 15208, as a member of the Public Parking Authority of Pittsburgh, for a term to expire April, 1993.

Also,

No. 423 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of John E. Gabriel, 149 Hornaday Drive, Pittsburgh, PA 15210, as a member of the Civil Service Commission, for a term to expire concurrent with the Mayor's term of office.

Also,

No. 424 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of Marianne Zebrowski, 712 Linden Avenue, Pittsburgh, PA 15208 to the Civil Service Commission for a term to expire concurrent with the Mayor's term of office.

Also,

No. 425 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of James Sterling, Oliver Realty, 2800 Two Oliver Plaza, Pittsburgh, PA 15222, to the Board of Code Review for a term to expire January, 1992.

Also,

No. 426 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of Eugene Dotter, 2068 Palm Avenue, Pittsburgh, PA 15232, to the Board of Code Review for a term to expire January, 1992.

Also,

No. 427 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of William T. Coleman, 7130 Mt. Vernon Street, Pittsburgh, PA 15208, to the Board of Code Review for a term to expire January, 1992.

Also,

No. 428 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of Matthew Begis, Covert & Cooper Elevator Company, 192 Sixteenth Street, Pittsburgh, PA 15203, to the Board of Code Review for a term to expire January, 1992.

Also,

No. 429 Communication from Mayor Sophie Masloff, informing Council of the re-appointment of Bernard Liff, 317 S. Dallas Avenue, Pittsburgh, PA 15208, to the Board of the Code Review for a term to expire January, 1992.

Also,

No. 430 Petition from the residents of Lawrenceville, 9th Ward, City of Pittsburgh, requesting a public hearing to discuss the traffic conditions at the intersections of Main and Butler Streets. (This petition is invalid in accordance with Section 320(a) of the Home Rule Charter).

Which were severally read, received and filed.

UNFINISHED BUSINESS

The Chair:

Unfinished Business is pertaining to two bills introduced by Mr. Ferlo that we have received a legal opinion from the Mayor's Office. At last Tuesday's Legislative Meeting, Councilman Ferlo introduced Bill Nos. 385 and 386, the reappointments of Joan Ivey and Ralph Alster as members of the Historic Review Commission. We have received a legal opinion notifying Council that these seats are not vacant. These members will serve until they are replaced.

Based on this information, I would like a motion to table.

Mr. Ferlo:

So moved.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Milllones:

Mr. Chairman, would it be proper at this time to talk about whether or not these persons would appear before Council tomorrow?

The Chair:

Yes, it's appropriate to talk about it, but they will not be here based on the fact that their appointment or reappointment is not in front of us.

Mr. Milllones:

I see.

Mr. Ferlo:

Mr. Chairman, speaking on the issue, I support the tabling of the bill for two reasons. First of all, the one gentleman, Mr. Alster, specifically asked to have his name withdrawn. He really does not want to get into any kind of a disagreement with the Administration.

On the other hand, Ms. Ivey certainly would like to remain a vital member and an active member of the Commission and I hope that is the case. I don't happen to agree very much with Ms. Ivey. I don't support several of the historical designation requests that are now before Council and will probably come to Council shortly. But, nonetheless, she has been an extremely articulate, competent and qualified member, an ardent preservationist, and somebody who I think and I hope that the Mayor will be prevailed upon by herself and other advocates in the community to consider her continued tenure on the Commission.

She is in the middle of doing something that I think is important and that is developing a strategic plan as it relates to historical preservation for this City, something that can be pro-ac-

tive instead of continually having a historical designation be something that always seems to be in conflict or crises or always throwing Council in the middle of some major disagreement. I would hope that she would be able to be allowed to continue that work, and I do appreciate the unsolicited opinion from the Solicitor.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 431

Report of the Committee on Finance for February 28, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 300

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Simplex Group in the amount of 45,000.00 in payment for Phase I of Project Management Training; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 300, due to the pressure of time and it's a rather difficult effort, Mr. Perry was not able to provide Council, as we had hoped, with information on the Massaro dialogue that had taken place in this Council with reference to organizing and reviewing and supervising contracts out of Construction and Engineering.

I will not hold up this bill because it's

something we need to do. I won't ask to hold it up. But I also would like to point out that that information will be forthcoming. Mike has promised but it's taking some time digging it out of the Records, and I would urge you to look at it only because it will give you some feeling of what has happened, what modern technology has allowed us to do by going to computers. We're into money that we spent and should not have spent and it's very self-explanatory. If anybody wants to know what really transpired, Mike can tell you, I can tell you, and I think some of the other people who are still around can brief you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 328

A Resolution entitled, "Resolution providing for

the transfer of \$150,000.00 from Code Account 1926 (192609), Municipal Obligation for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1927 (192708), Refunds, Administration Division, Department of Water."

Which was read.

Michelle Madoff:

On Bill 328, as you know, I use the opportunity any time a Water bill comes up to say I'm going to vote no to get the message across that we have somewhere between \$3 million and \$15 million at this point. I've talked to Mr. Turner as recently as yesterday. There is not a Water Department Director as yet. They thought they had someone and the person renegged. If anybody is listening, we're going to pay \$61,000 to do that job.

As you know, last May when I realized how bad things really were, I knew they were bad but I had no idea how bad they really were, I did an audit of the Water Department and I think all Members of Council got a copy of that recently, and I presented it to the Water and Sewer Authority. It took years to get the message across to the Administration but, you know, it's one thing to listen and another thing to hear. I'm happy to report that I'm being heard. Many of the ideas and thoughts that I had on collections have been incorporated and I learned yesterday that a half million dollars in delinquent accounts has been collected already.

In the very near future, the Administration is going to start to publish the deadbeats and they are never the little people on welfare and fixed incomes, rarely, if ever. The people who just are recalcitrant. One-third of the people of our 90,000 just don't pay.

We're also in the process of purging the

records to take the City properties that have no buildings on them, City properties that we do receive water, remove that from the list. There's a coding process going on. I will be meeting with Ms. Denko to further refine the computerizing the list so that right now we just have major buildings but we'll break them down into apartment houses and banks and hospitals so that any one of us can go over and get a print-out and take a look at who is paying their bills and who isn't. And, as I said, as soon as that kind of information and the meters get a little further along, and I hope we don't wait until then, but as soon as we know that somebody is truly delinquent, meaning, when Joe Mistick goes in and he's reported as being delinquent and he has a bill of \$2000 that he doesn't have, and he goes down and he corrects it, and they correct it but it doesn't come out on the next month's computer, until we're sure that isn't going to happen and embarrass anybody needlessly, we will start to publish the deadbeats and you know what will happen; overnight those millions will pour in.

So, I'm going to be a little sympathetic and vote for this bill. I won't abstain; I'll vote for it.

Also,

Bill No. 330

A Resolution entitled, "Resolution providing for a professional Services Agreement or Agreements for the provision of training City employees in the use of personal computers and personal computer software packages at a cost not to exceed thirty-five thousand dollars (\$35,000.00), payable from Code Account 1043, Index Code 104307, Misc. Services and for the payment of the costs thereof."

Which was read.

Also,

Bill No. 331

A Resolution entitled, "Resolution providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, their heirs, executors, administrators and assigns, which grants an easement to construct a protective barrier on and through property owned by the City of Pittsburgh upon certain terms and conditions."

Which was read.

Also,

Bill No. 332

A Resolution entitled, "Resolution amending Res. No. 839, Item C, effective October 28, 1988, which authorized the sale of two small lots located at 12 Heldman Street and 6-8 Clark Way, 3rd Ward, Block 11 A, Lots 62 and 66, to John B. Farley and John B. Farley, Jr., Joint Tenants with Rights of Survivorship but not as Tenants in Common, for the sum of \$500.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 335

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company in the amount of \$7,662.00 for the purchase of office furniture for City Council, without previous authority of law, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc. (Index Code 100115)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 432

Report of the Committee on Public Works for February 28, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 318

A Resolution entitled, "Resolution providing for a contract or contracts, or the use of existing contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 319

A Resolution entitled, "Resolution granting Carmello Trapani, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense a stoop and steps on a portion of the sidewalk of 54th Street and the 10th Ward, 7th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 320

A Resolution entitled, "Resolution granting Mellon Bank, their successors and assigns and privilege and license to construct, maintain and use, at their own cost and expense, a handicap ramp on a portion of the sidewalk of Pearl Street in the 8th Ward, Council District No. 8, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan

Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 321

A Resolution entitled, "Resolution adopting Of-
ficial Sewage Facilities Plan for Squirrel Hill
Nursery Townhouses."

Which was read.

Also,

Bill No. 360

A Resolution entitled, "Resolution adopting Of-
ficial Sewage Facilities Plan for Mossfield
Court."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Millions
Mr. Regan

Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 433

Report of the Committee on Planning, Housing
and Development for February 28, 1990 trans-
mitting one ordinance and sundry resolutions to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 19

An Ordinance entitled, "An Ordinance amend-
ing the Pittsburgh Code, Title Nine, Zoning, Ar-
ticle V, Chapter 987 'Signs' by further restricting
the size and location of roof type business and
identification signs in 'C3', 'C4' and 'A1' com-
mercial type zoning districts."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments
brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGE)

BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 19, WEDNESDAY,
FEBRUARY 28, 1990)

Mr. Ferlo:

Mr. Brown is here if we have any questions. This was a discussion at the public hearing and I thought it was an excellent public hearing, there was significant input from community organizations as well as at least two individuals who had a specific problem and that being a very obnoxious sign on the rooftop in the Northside.

This bill is very reasonable and it sets into motion a decent way to deal with the problem and that is rooftop signs which could and have gotten out of hand. The old Code did not speak adequately to the problem. The bill that comes before us had the support of the Planning Commission and many in the community, it's a reasonable way and does not infringe on the prerogatives of business. If anything, it could probably be strengthened to deal with some of the signage that appears on the side of buildings but that could be the subject of additional amendments in the future and Mr. Regan, Mr. Wagner and others spoke to these issues but I wholeheartedly urge the passage unanimously of this bill and Mr. Regan and I talked at length about this and he made me better aware of the situation on the Northside which I appreciate and I support this resolution wholeheartedly.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the questions, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 322

A Resolution entitled, "Resolution authorizing a 1990 Cooperation Agreement with the URA of Pittsburgh for the Washington's Landing and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 322, WEDNESDAY, FEBRUARY 28, 1990)

Mr. Ferlo:

Mr. Whitmer is here from the URA.

The Director is certainly aware of my feelings about Washington's Landing. I think it was a bad decision of the previous council and the administration made. It seems as though we're too far into it down the tunnel to turn around. This amount is specifically needed for some of the environmental costs which continue to plague the island. I wish the money had been spent developing industrial sites in Hazelwood or the Butler Street Corridor or down at Beaver Avenue or a few other places but in any event we're into this thing Director, do you want to discuss this bill?

Dir. Whitmer:

This is the ongoing Cooperation Agreement which we enter into every year with the City for funding of the various projects going on Washington's Landing.

This particular amount will go toward the continued site development for the park on the northern end of the island and as Councilman Ferlo pointed out, our efforts in remediation of the environmental problems that we found in the development of this island.

Mr. Ferlo:

Could you just address the status of some of the development on the island which is relevant to whether or not we should approve this, specifically the status of the tennis company and some of the other initiatives, the marina proposals that you have before you?

Dir. Whitmer:

As you know, in the fall we opened the boathouse of a private rowing association opened their facility; that is the first venture. We have another building that has been in some dispute. When we found the PCV's, I think we're close to an agreement with the developer on that and Northside Civic.

As I indicated, we have an ongoing remediation project of removing PCV's from the south end of the island to the northern end and encapsulating them as prescribed by the Department of Environmental Resources. We have under consideration now two proposals for a marina to be located on the island. We are meeting with those developers in the next several weeks and hope to make a decision shortly.

Mr. Ferlo:

Specifically on the status of the tennis company.

Dir. Whitmer:

We have been working with a company known as Gamma Sports. They make tennis racquet -- different accessories for playing tennis. They are located in Detroit and out in the eastern suburbs. They are interested in consolidating into one plant which would employ about 40 people and they are interested in building a building adjacent to a park that would be built by the URA on the northern tip of the island.

Michelle Madoff:

Does that have anything to do with Washington's Landing?

Dir. Whitmer:

Yes. The \$300,000.00 would go to site development of that park.

We have legislation which will be coming to Council shortly wherein we are entering into an agreement with Gamma Sports for this development.

Mr. Ferlo:

Director, I have no problem continually funding the initiative in terms of the environmental cleanup, especially given the commitment that seems to be -- the potential of the company being sited there as well the Rubinoff Building and the Northside Civic Building, the next first development site for small commercial enterprises.

The issue of the park though, at what point will Council debate this issue? I mean, I have major reservations about allowing the Parks Department in the City to construct a new park when we have a hard enough time maintaining and taking care of lots of parks that I can think of in my Council district and I'm sure if we go down this table we could spend five hours in a public hearing on the conditions of our parks and the need for a maintenance and reconstruction.

Dir. Whitmer:

I think your concerns would be expressed by the Budget Office and by Director Brown.

The original intention and the continuing intention of us is to have a park that would have tennis courts that would be covered that would generate revenue to make this park self-sufficient. In addition, there is a proposal and one of the discussions ongoing with Gamma Sports for people locating on the

island to have an association that would pay fees to maintain the park.

Mr. Ferlo:

When and if that proposal comes to us, it should be a private proposal where we give a sign-off of the land or something of that sort but not have to lay out capital dollars or anything of this sort. If it's going to be profitable or it has some revenue capacity, let's entertain for-profit proposals that --

Dir. Whitmer:

-- I think there is the commitment to build the park with capital funds and state funds, the question is a long-term maintenance and operation and that's where no one -- and that's one of the hold ups right now in our discussions. That's where we do not want to have operating funds come out of the city to maintain this park and the original notion was that it would come from the tennis development and the inside tennis courts.

Mr. Ferlo:

My only suggestion relevant to this bill -- I would not want to see the Administration get too far down the line without Council's involvement and approval because there may be a situation where there might be enough sentiment on Council to have a strong bias against that.

Dir. Whitmer:

We will be coming back to you on that.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

On Bill 322, regarding the additional sum of money that we continue to pour into the Washington's Landing hoping to see some light of day for it's development, I think it's important to note at this time that we need to communicate, I believe, to State government on this issue of the environmental cost for cleaning up and redeveloping not only this particular part of the City, Washington's Landing, but it's a problem that we've had in existence I know in the development effort in Lawrenceville in the shopping center which is now resolved. But it's going to come up more and more in the future as we move to develop our riverfronts, and that is, environmental hazards, many of which are not known until we start actually digging.

In the last several years, I've noticed significantly that the banking community here in the City, even with DER approval, continues to hold a position that basically says that we're not interested in getting into something where DER regulations may change in the next five years. We want to be held harmless from any kind of environmental impact. That's just not practical or reasonable but it's going to be something that is more and more going to become a reality as we begin to develop riverfronts which historically have housed manufacturing, industrial, and other kinds of centers where hazardous materials and semi-hazardous materials were held.

So, I would hope that somebody in the Administration begins to communicate to State government. There needs to be something from the Casey Administration on developing a State fund to assist municipalities with special problems associated with environmental clean-up. Otherwise, we're really not going to be able to take back our rivers and develop the areas like Washington's Landing.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 323

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the URA of Pittsburgh to provide authorization for the URA of Pittsburgh to act as an agent of the City of Pittsburgh in matters of property acquisition and relocation of street rights of way in connection with the reconstruction of Harpen Road; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 324

A Resolution entitled, "Resolution authorizing a 1990 Cooperation Agreement with the URA of Pittsburgh to undertake streetscape improvements for the 5th Avenue Square Area and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 324, WEDNESDAY, FEBRUARY 28, 1990)

Mr. Ferlo:

The reservation I have about this and I spoke with the Director yesterday, I can appreciate that some of this has to be done in phases especially the initial work involving the surveying of the sidewalk, the vaults and all that but in terms of the construction related activity, if it's going to be done in phases I'm voting no on it because I'm not going to vote in a similar fashion that I did with Grant Street which I refer to it as a fiasco, some people think it's great, where basically we had multiple costs for consultants, inspectors, you name it we had it relative to Grant Street. There were cost overruns and I don't think we should do the Fifth Avenue Project in that same fashion. Either we should get enough money to bankroll the construction related activities all at once as opposed to doing the work in the various stages. Are you familiar with the construction related activities?

Dir. Whitmer:

I'm familiar to the sense that this would initiate a design contract where we would only have one design consultant for the entire project, however it would be phased in construction and my understanding and I haven't seen the design that the Planning Department is working on but it would not be the type in-depth as Grant Street, the total street replacement and that type of thing and all those things have yet to be determined however it would be phased in for a reason of phasing the funding over three years and that's the purpose of phasing the construction as you go down Fifth Avenue.

Mr. Ferlo:

Again, looking at this from the broader perspective we're talking potentially about three different major projects being done in possibly the same time the Wood Street initiative, this initiative, the Fifth Avenue initiative and Penn-Liberty activities. It's conceivable that there will be major reconstruction and construction related activities happening in the Downtown area on three major corridors at the same time over the next three years and my point which finally Mr. McDermott the previous director accepted, he made a commitment when we approved the monies to pay for the Wood Street from Ft. Pitt Boulevard over to Liberty that unlike the Grant Street example he said that the construction related activity would be done all at once instead of being bid out separately. I'd like a better appreciation for what will happen here as it relates to the construction activity. Is the URA directly involved in that?

Dir. Whitmer:

We will be directly involved in this phase of it for a design and the construction for a design and the construction of as we are on Penn Avenue.

Mr. Ferlo:

So you're overseeing this part, E & C is overseeing Wood Street.

Dir. Whitmer:

We are handling Penn Avenue in three phases.

Mr. Ferlo:

How will the construction related work?

Dir. Whitmer:

The construction-related activity would be phased over three years because of the funding phasing.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Mr. Ferlo:

On Bill 324, in relation to the Fifth Avenue Square area, and this is the legislation that puts into motion some of the streetscape improvements which are badly needed and long overdue, I voted no and I'm still going to vote no because I think before this leaves Council's table and Council's oversight, I think we need more assurances from the Administration regarding the construction timetable.

I thought, Mr. Chairman, you gave an excellent presentation the other day at a luncheon for the Building Office Managers Association and Golden Triangle Representatives where you discussed the Downtown improvements, Fifth Avenue Square, Wood Street, Penn Liberty and whatever. I do think, and I hope that you will convene some type of meeting regarding the construction schedule, but in this particular corridor, the Fifth Avenue which is the major retail commercial area as opposed to the Grant Street fiasco, the construction activity needs to happen as quickly and as expeditiously as possible and I don't think we have that assurance yet. We may, in fact, have a situation for the next two and a half years where not only Wood Street but Smithfield down to the end of the street along Fifth, Wood Street from Fort Pitt over to Liberty and the Penn Liberty district is all going to be dug up at the same time. That will really kill the retail area of Fifth Avenue. I think it's better, as you pointed out, to do it quickly and get it done with as opposed to dragging it out for several years.

So, I think it's an important enough issue and I hope that you will convene an appropriate meeting of the appropriate parties over the next month and a half to figure out what this construction schedule is going to be.

The Chair:

We will have such a meeting the first week of April. Mr. Perry is setting one up.

Mr. Ferlo:

Thank you, Mr. Chairman.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 325

A Resolution entitled, "Resolution authorizing a 1990 Cooperation Agreement with the URA of Pittsburgh to undertake streetscape improvements for the Federal Street/Allegheny Center Area and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 326

A Resolution entitled, "Resolution authorizing a 1990 Cooperation Agreement with the URA of Pittsburgh for the administration of the City programs and projects and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 327

A Resolution entitled, "Resolution authorizing a 1990 Cooperation Agreement with the URA of Pittsburgh for the NBDR-Public Space Improvements and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 434

Report of the Committee on Parks and Recreation for February 28, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 253

Resolution authorizing the City to enter into a lease and operating agreement with Neville Ice Arena, Inc. for the use, operation and management of the South Side Ice Rink and adjacent property as an enclosed ice skating rink and for other recreational purposes."

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 253, WEDNESDAY, FEBRUARY 28, 1990)

Mr. Cohen:

I think that this is a thoughtful and creative project also and I want to commend you for it. Mr. Ferlo asked a number of questions that I had in my mind and let me just follow up on a couple of them.

Maybe we should begin with Mr. Shuttleworth and that is that you say the financial background was done by the URA, right? I think that would apply more to the second phase of this rather than this one here.

Ms. Brown:

No, it was done for the ice rink loan. It was not done in terms for the other developer.

Mr. Cohen:

I got some similar criticisms about his housing ownership and/or management, I think that would come into play more so with respect to his housing development but I would like to see the financial information that was obtained on this man and his development company, can you do that?

Ms. Brown:

I will certainly check with URA, I'm not sure what is public information and what is not but I will check.

Mr. Cohen:

Okay, that would be helpful. With respect to the rent schedule here, let me see if I understand it right. There's nothing coming to the City if the revenues are \$300,000.00 or under except for \$1.00, over that there's a schedule of percentages, is that right?

Ms. Brown:

That's correct.

Mr. Cohen:

What in reality do you expect will happen here, what are the projected revenues maybe after the first year or so? Will the City actually get money from this?

Ms. Brown:

Yes, but not right away. But after his capital costs are taken care of. If it's a successful program, I think that we can make some money. We were not actually looking at a project to

make a lot of money, we were looking at a way to get a facility open and useable by the community. Ultimately it can be a very successful venture.

Mr. Cohen:

I understand that it's not intended to be a money-making project, it's intended to be a project that will be a great recreational center for the Southside and for the City of Pittsburgh, but it would be nice if we had some icing on the cake and I want to get a sense of what the projected revenues would be.

Mr. Mancuso:

I would expect that the rink will operate in the \$500,000.00 range and probably over that as time goes on. The key to remember is that before they make dollar one over there the City has already essentially stopped the outward flow of cash into that property. We were spending \$80,000.00 and subsidizing each skater to the tune of \$16.00 a skater.

Mr. Cohen:

Good point. My understanding from the lease agreement is that the ownership of the structures and the improvements, even those constructed by the lessee will ultimately rest with the City; is that right?

Ms. Brown:

That's correct.

Mr. Cohen:

Does the City have any authority over the prices of the food and beverages that are going to be served at the rink?

Ms. Brown:

The lease includes a provision that the pricing structure must be reasonable and comparable with similar facilities in Western Pennsylvania. We did not want to nor could we put in a pricing structure. This is a 50-year lease and to limit that capability of the developer but we do approve within reasonable time those prices.

Mr. Cohen:

I don't see that, maybe I'm misreading the lease.

Ms. Brown:

We don't actually approve the pricing structure but we do look and see if it does meet that criteria which is set forth in Section 901.

Mr. Cohen:

Do you feel that you have enough control over that so that the prices for food and beverages don't become too excessive?

Ms. Brown:

I believe so, I think it will be what the market bears right now and a Pepsi or Coke will be whatever the going rate is.

Mr. Cohen:

It comes into play a little bit because we just found out that the Stadium Authority has increased their prices. I'm not saying that those increases are excessive but it's something that I think is important to supervise.

I want to talk briefly about the potential liability to the City and I see in that hold harmless clause -- I think it's a well written clause but I want to know whether you think that it's an airtight release of liability. Obviously when you're talking about an ice skating rink there's a lot of potential for liability there, certainly if I got on an ice skating there'd be a lot of potential. Do you think that that's an airtight clause?

Ms. Brown:

Our Law Department did draft that provision. The proposed developer definitely thinks it's airtight. He thinks it's very strong.

Mr. Cohen:

Of course he does, I want to make sure that we do.

Ms. Brown:

But I don't know if you have any other suggestions.

Mr. Cohen:

I do one. Again I don't want to hold this up but we were talking earlier about the possibility of a developer walking away from this after a point. There is no phrase of successors and assigns. Usually when you have a hold harmless clause -- unless I'm missing it.

Mr. Mancuso:

The whole lease -- there's an assignment provision within the whole lease and in order to assign this it has to be with the approval of the department and the signee would have to be willing to enter into this document for its remaining term.

Mr. Cohen:

That's true and that's good but in a release of liability clause normally the boiler plate language, and it makes sense here, is to include successors and assigns in the liability clause otherwise you might have a problem, so where it says lessee agrees to indemnify defendants harmless the City, I think -- tell me if it is possible -- in fact it's important that we do Director because otherwise we're going to have a problem. If somebody comes into play, they're released from liability unless we include that in there so I would urge you to just include that language in there.

I think that's all I have. I think it's a good project.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 435

Report of the Committee on Public Safety for February 28, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendaiton,

Bill No. 333

A Resolution entitled, "Resolution amending Res. No. 978, approved December 12, 1989, effective December 15, 1989, entitled 'Amending Res. No. 1070, approved December 17, 1987, effective December 22, 1987, entitled, Resolution authorizing and directing the City Con-

troller to create an Imprest Fund, to be designated as the Confiscated Narcotics Proceeds Imprest Fund, for the deposit of cash and proceeds derived from the confiscation of narcotics and related items, and authorizing the use of funds deposited therein by the Dept. of Public Safety for any and all expenses associated with investigations of narcotics violations,' by increasing the amount from \$30,000.00 to \$60,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 436

Report of the Committee on Engineering and Construction for February 28, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 301

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for rehabilitation of various landscape and turf areas, including but not limited to Leslie Ballfield and the Schenley Oval Ballfield; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 302

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, and/or a contract or contracts, or use of existing contracts, for various renovations to the Aviary located in Council District #6; and providing for the payments of the costs thereof,"

Which was read.

Also,

Bill No. 303

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, and/or contract or contracts, or use of existing contracts, for swimming pool design and rehabilitation of existing facilities, including but not limited to Homewood, Ormsby, Cowley and Beechwood; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 304

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for major court renovations at various locations, including but not limited to Highland Park in Council District #7; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 305

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for ballfield relighting at various locations, including but not limited to Herschel Field in Council District #2; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 306

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts for rehabilitation of service buildings, including but not limited to McBride Park in Council District #5; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 307

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for major repairs and emergencies including, but not limited to Philips Park Recreation

Center in Council District #4; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 308

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, and/or a contract or contracts, or use of existing contracts, for major renovations of recreation centers, including but not to Magee Recreation Center in Council District #5; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 309

A Resolution entitled, "Resolution providing for an agreement or agreements, or supplemental agreement or agreements, with a consultant or consultants for construction inspection services for various city projects; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 310

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants for engineering services in connection with the design of Walbridge Street and Main Street to Herschel Street in Council District #2; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 311

A Resolution entitled, "Resolution further amending Res. No. 750, effective Sept. 6, 1983, as amended by Res. No. 1006, effective Nov. 30, 1983, as amended by Res. No. 478, effective May 21, 1985, as amended by Res. No. 903, effective Oct. 3, 1985, as amended by Res. No. 291, effective April 16, 1986, as amended by Res. No. 468, effective June 16, 1987, entitled: 'Providing for a contract or contracts for the construction of walls at various locations, including, but not limited to the following: Wick Street, Holt Street, Monroe Street, St. Martin Street, Goettman Street, and Blessing Street; providing for an agreement or agreements, or supplemental agreement or agreements with Pittsburgh International Engineering Incorporated for Engineering Services in connection with the design of the Blessing Street Wall; and providing for the payment of the costs thereof,' by decreasing the total project allocation by \$38,897.05."

Which was read.

Also,

Bill No. 312

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, with a consultant or consultants in connection with the Schenely Golf Course Facility Needs Evaluation; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 313

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, and/or a contract or contracts, or use of existing contracts, for various rehabilitations to the Pittsburgh Zoo, including but not limited to the Polar Bear facility, the Necropsy facility and the Quarantine facility; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 314

A Resolution entitled, "Resolution further amending Res. No. 967, effective Oct. 16, 1985, as amended by Res. No. 241, effective April 2, 1986, as amended by Resolution 747, effective Sept. 15, 1986, entitled: 'Providing for an agreement or agreements, or use of existing agreements with a consultant or consultants for architectural, engineering, graphic design and construction management services in connection with the design of the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$70,000.00 from 4825,000.00 to \$895,000.00."

Which was read.

Michelle Madoff:

Mr. President, you have been here long enough to know that I have great concern about the issue of the overruns that take place repeatedly, overruns and the fact that the projects are not well defined, the scope of work is not well defined, the fact that Grant Street Phase II and Phase IV ran \$1 million each over the estimates. I could go on and on because I have talked about this as far as I can remember.

Today we are in the process of sending a summary, a cover letter and the documentation that you all received some time ago from Jim Josephs who was hired to try to put together a method as to how we could stop these terrible, terrible overruns that run into the millions of dollars.

For example, the 14 bills that were just introduced exceed \$5 million and they have a figure next to every bill saying how much we have to give away. We will never advertise \$3 million for a project and have anybody come in at \$2 million. They'll come in at \$2.99 million.

I have a letter that I would like to read. It's a summary and it's going to Alex Sciulli, Jim Turner, Ben Hayllar, the Mayor, Joe Mistick. And I do want to tell you that just before I came into Council, we were able to locate Alex Sciulli who has agreed to look into this matter immediately. He's talking to legal counsel for the City of Pittsburgh. I've talked to Jim Turner and Jim said, as you know when I interviewed Alex Sciulli when he took the job as Construction and Engineering Director, he said, yes, he was sympathetic and, yes, he would do it. It seems that this is the appropriate time. If we let \$5 million of contracts go right now, all I'm asking is that you hold it for a week or we can amend to remove the dollar figure. I'll take direction from the Chair, that we start to handle this matter in a way that is more responsive to our taxpayers. If we don't do anything, we're as culpable as anybody else.

I just want to read the letter because I really think it summarizes everything.

"To: Joseph Mistick
Mayor's Office

From: Michelle Madoff
Council

Date: March 5, 1990

Subject: Supplementing the Pittsburgh Code by adding a new Section entitled, "Estimated Costs" to provide procedures for the confidentiality of that amount.

The attached material will update you on my on-going efforts for eliminating the publishing of "not to exceed" dollars from City contracts before they are awarded, in an effort to stop the millions of dollars in over-runs.

When Jack Wagner asked Dan Pellegrini to produce the State document mandating initial publishing of a dollar amount for individual projects before the contracts are awarded, Pellegrini could not produce it because it doesn't exist. For years Council had been told this was a necessary evil. Subsequently, Council and the Administration was prevented from stopping this antiquated, dollar give-away practice.

Conceptually:

A. Engineering and Construction obtains Council's initial approval to undertake construction of a project, i.e. firehouse, police station, bridge, road, etc. The annual budget will reflect a total sum to be spent on a list of projects without a dollar figure next to each item so that we don't telegraph "Come and get us. We have all this money to spend."

B. An in-house cost estimator or consultant determines a realistic dollar figure for said project. Construction and Engineering returns to Council and notifies Council of their choice of contractor and the dollar figure to be expended. A reasonable cost escalation is factored into the not-to-exceed number which now appears on the final agreement approved by Council.

C. The Law Department would prepare a confidentiality document to be signed by any outside

engineer or architect preparing scope of work and engineering and/or design of projects. Deterrents such as removal from bidders list and perhaps a financial penalty must be in place. While this is not a 100% guarantee of confidentiality, it is certainly a 10,000% improvement over how business is presently conducted.

D. E & C must come to Council with sufficient time to allow for re-bidding of contracts if the prices appear out of line based on an educated, in-house, cost estimators figures or that of the consultant."

I think that's a little garbled and needs to be refined. But I wanted to get it to everybody today because of the \$5 million that I was concerned about.

Grandview Avenue is a typical example. There are about four large blocks, granted they are large, being repaved, the sidewalks are being redone. The contract was put out so late that the actual contract wasn't signed until August. Now we're sitting with the winter, people have not been able to use that facility. What do we need eight months for to do four blocks of cement work? Consequently, that gives you some kind of example of what is happening.

"E. The scope of work of any project must be very, very well determined, i.e. sufficient borings and anticipation of additional work that will probably have to be done in conjunction with any project, so a contractor doesn't bid low knowing full well that there will be additional work and a multitude of over-runs."

Let me give you one classic example that is used in the construction business. Let's say somebody buys a room this size and they're going to turn it into offices and the law say that you've got to have sound boxes at each side saying, "In case of fire, leave." So, we say four sound boxes. But the contractor has somebody

who is a pro looking at the contract saying, "Oh, we don't have to worry, we'll bid low.", because on that item priced on X dollars, we're going to need forty of them because this room is going to be divided into cubicles. We've got to have somebody in-house who thinks the same way.

"Nothing is infallible. This is not a perfect world. However, can you imagine a DeBartolo, Kossman or Buncher advertising how much they have to spend on any given project? Not on your life! They know before awarding contracts a realistic dollar value. A cost estimator allows "X" number of dollars for foundation, inherent unforeseen problems, "X" dollars for above ground construction, "X" dollars for materials and "X" dollars for a reasonable profit. We can do likewise.

Holding a price for materials and labor increases can be factored into a project by a good, in-house cost estimator or professional consultant.

I'm tired of hearing reasons from the previous director of E & C as to why our goals cannot be accomplished. It's time to work out the problems and make it happen.

I look forward to moving forward on this issue expeditiously. I've been harping on this problem for years. It distresses me every time a project runs as much as a million dollars over estimate. Enough is enough. The time to act is now.

cc: Jim Turner
Alex Sciulli
Ben Hayllar
Mary Conturo
Mayor Masloff"

I repeat, I do not tell lies. I've spoken to Alex Sciulli, I've spoken to Jim Turner. I think by sending this back, or if it is the will of the President of Council or the Chairman to just re-

move the dollar numbers, I could live with that. But we better start to move now or we're very remiss in our obligations to the public.

So, I'd like to move that either we remove the numbers or that we send it back for a week. I don't know that the pleasure of the Chairman would be.

Mr. Cohen:

Mr. President, I think that Councilwoman Madoff has a good point and a point that I have discussed with Director Sciulli and with Assistant Director Reginella at length. What it comes down to is this: If you are going to repair your porch or a kitchen, and you hire a contractor, the first thing you say is not, "I've got \$1000 to spend on this." What you say is, "What are you going to charge me?", and try to negotiate a price. So, it's a very good point and I think one that we should look into.

But I think that there are two problems with the motion before this Council. The first one is that it would require, in my view, an amendment to the City Code to do this. It would require an ordinance, and, of course, we do not have an amendment to the ordinance before us today.

Secondly, frankly, I don't want to hold up these worthy projects for all of our neighborhoods in order for us to look into this question.

So, what I would suggest is that we schedule a post agenda, bring forward the appropriate people like the City Solicitor, like the Director of Engineering and Construction, and really take a hard look at this issue and see whether we need to amend the Code in order to save the City money which is exactly what Councilwoman Madoff is talking about. We might be able to save a lot of money. But I would not urge Council to recommit these par-

ticular bills.

Michelle Madoff:

I think there is a misunderstanding. We don't have legislation that says that we've got to put the number in. We were told there is. There is no bill that says that. I'm saying merely to take the numbers out. I've talked to Alex Sciulli, I've talked to the Administration and they are sympathetic. If we don't move now, we'll be doing what I've been doing for five years. Let's get together and talk about it and nothing will happen. We'll get their attention, it will not affect these bills, it will not affect the construction dates one iota. All we're doing is saying, as you just said, "We're not going to give you \$1000 for putting this street in." We're still going with over \$5 million but we're not defining how much will be appropriated to each contract. Nothing will change.

All I'm asking you to do is to remove the dollar figure. Start doing it the right way.

Mr. Cohen:

I think ultimately we need the view of the City Solicitor on this but, Section 161.01 of the City Code, under Contracts, says, "Shall designate the maximum amount authorized for such contract." It is, in fact, in the City Code and I think that we would need an amendment to do it.

In any case, this is not the forum to discuss the method by which we should resolve this problem. The forum, I think, should be a post agenda or other forum that would be suggested by Members of Council where we can talk about this issue and how to eliminate a "not to exceed" amount, not just in Engineering and Construction contracts but across the board, and do that in a way that is deliberative and thorough and not to hold up projects for all of our neighborhoods.

Michelle Madoff:

May I straighten out something that was just said that is in error, please? You will always have to have a contract that says, "not to exceed", but it won't be on when they say, "I want to go out on a project." It will be after they determine the price. Then we get a "not to exceed" and the final contract when they've chosen someone and know realistically what it will cost. When they sign a contract with you to do that porch and you decide you'll do it for \$800 as opposed to \$1000, there's a contract signed that says \$800. We must have a number before we go out on the contract but it wouldn't happen when they come to us and say, "We'd like to spend \$5 million on doing Fifth Avenue." It would be, "We want to go out and do Fifth Avenue." Council says, "Yes, we need to do Fifth Avenue." They then go out and look into various phases of Fifth Avenue, do in-house estimating, hire somebody to do the estimating, and when they've chosen the person, which they do anyway, and then when they're going to sign the contract, they come back and say, "We now want approval from Council, this is what we're spending." And we have our conscience clear that it was done properly.

I think it's because people are new and it just takes time to catch up on it. I can't imagine that no one can grasp this. It's very logical. And I would like to move that we remove those dollar figures.

The Chair:

The motion is not in writing and it must be in writing according to the Council Rules.

Michelle Madoff:

There are extenuating circumstances where we can poll Council to see if they're willing to waive rules.

The Chair:

We can temporarily remove that Council rule with six votes.

Michelle Madoff:

I'd like to ask that that rule be removed. I didn't put it in writing because I talked to everybody and I just assumed there was no difficulty with it. Logic would say we're not going out and give money away without having a number.

My motion, and obviously we have to poll everybody, is to say will you support waiving the rule so we can remove the numbers. It's not going to change anything.

The Chair:

Is there a second to that motion? The motion fails due to the lack of a second.

Mr. Ferlo:

There's not really an amendment or a formal item on the agenda or the floor right now for us to debate. I think Michelle is accurate and I appreciate the fact that she's raising this issue again for the fifteenth time. Many of us have raised it in the past.

The Municipal Code, in 161.01, Contracts, explicitly states that it has to have the "amount not to exceed" figure. I think the issue is that there's nothing necessarily in the State law that says that we have to do this this way.

The real issue, though, is not to hold up any contracts. I know I've worked hard to get the Leslie Field done and I don't want to do anything to slow them down because there's a lot of other things that are going to be on the agenda today and in the weeks ahead of us and we have to

move ahead and get some of this construction work done.

The issue is to come back full circle. Every Councilmember has the right and the prerogative to introduce legislation to amend the Municipal Code and to change the manner in which we operate City government. I would encourage either Michelle or other members of Council to do that.

As far as a post agenda, I think it's a great idea. Let's bring all the parties to the table. Director Sciulli is the new Director of Engineering and Construction. I think I sense philosophically a different view than one that was held by the previous director. Let's bring the people back and let's start out at ground zero again and try to rework the debate that Michelle has initiated and we've discussed for the last couple of years. But, at this point, it doesn't do any good to slow things down and throw a monkey wrench into the works.

Mr. Milliones:

Mr. President, I agree with Mr. Cohen's suggestion of having a post agenda as soon as possible to discuss this issue.

Michelle Madoff:

Point of Clarification. Again, before we can go out on any contract, we must have a "not to exceed" number, but you don't have to have it when you say we're going to look at a project. I don't know why people can't grasp that.

Mr. Milliones:

It has been grasped. I understand what you're saying.

The Chair:

I think all of Council is hearing what you're saying and is receptive to it. I know several other Councilmembers, Mr. Coyne, has brought this issue up also in the past and I think it's a good issue. But the point of this legislation, specifically, I think we have to deal with it. A piece of general legislation based on the concept, I think is a good idea. And it has to be done also in terms of the annual budget because all the contracts in 1990 obviously reflect the dollar volume. So, we would have to begin fresh and new, I would think, in 1991.

Michelle Madoff:

Mr. President, you've been here a good number of years and you know we've gone through this. And you know we've had public hearings on it. And you know we've had promises from the Director. When we sit here with the public watching, and we are not willing to hold for one week to talk to the Director to remove the numbers from \$5 million worth of projects knowing that Phase II of Grant Street, Phase IV of Grant Street have gone \$1 million over, the Ohio River Crossing, I held up the bill because there was a problem with materials and the bill was rebid and we saved \$300,000 on that. The Contractor wrote me a letter and said, "Because of the time, we were able to do it."

This is not going to affect the legislation one iota, but we're sending a very strong message to the Administration. We can still have our meeting, but if we let this go, I just think it's criminal. It is absolutely criminal.

Mr. Ferlo:

I think it's an important issue. It's something I've discussed, Mr. Coyne, Michelle, yourself, and anybody else who has been here with some tenure. I would suggest that Michelle submit the legislation that was drafted, even though it might be inadequate or improper --

Michelle Madoff:

It has been submitted three times.

Mr. Ferlo:

Not to this Council. This is a new Council. I would suggest not a post agenda but that we submit this bill for the purposes of getting it on the Wednesday agenda, since you didn't support my motion last week to add other items to the agenda. So, Michelle should submit this as legislation. We should all know that it's a working draft. We get it submitted, it comes to the table, and then we have a structural framework and a formal framework in which to discuss this issue with the Administration. So, I would encourage Michelle to submit this knowing that it's in draft form. It gets it on the table, and we could lock the Administration into dialogue and debate and discussion on what the heck we want to do on the contract section.

Michelle Madoff:

I would accept that as a recommendation but there's one little problem. What you're doing is letting \$5 million worth of contracts slip by us today. Do that, but hold up the \$5 million.

Mr. Ferlo:

I'm trying to find a way to structurally move this and progress this discussion ahead.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, it's with great honor and privilege that I issue, as alleged to my powers and duties as an elected Councilman, a special proclamation on behalf of myself to an individual, Mr. Frank P. Ressetano, and this proclamation is referred to as The Slum Landlord Award For Excellence.

"WHEREAS, Mr. Ressetano is the proud owner and landlord of at least 26 known commercial residential properties in the City of Pittsburgh in such neighborhoods as Highland Park, Lawrenceville, Garfield and Bloomfield; and

WHEREAS, Mr. Ressetano owes back real estate taxes, water and sewer bills totaling over \$80,000 to the City and governmental units; and

WHEREAS, the litter and accumulated garbage at only one of his properties located at 4521 Butler Street has been accumulating for at least a decade and is an unsightly eyesore in the

commercial district of Lawrenceville."

If you want to know how I know it's at least a decade, I'm sure my colleague, Mr. Regan, remembers Tom Tucker Soda. That's how old those soda bottles are that are littering the property.

"WHEREAS, Mr. Ressetano has the notorious track record of building and code violations and is well known to many community agencies and service providers who work hard to maintain good quality housing in our neighborhoods; and

WHEREAS, Mr. Ressetano is known to set new standards in landlord-tenant relations by requiring tenants, many of whom are receiving public subsidies, especially Section 8, to sign an illegal lease in order to rent his properties; and

WHEREAS, Mr. Ressetano recently threatened to have one of my administrative aides, who happens to be an attorney so he should think twice, arrested for facilitating a Section 8 Building Inspector; and

WHEREAS, Mr. Ressetano is a master at intimidating low and moderate income tenants with threats of illegal eviction; and

WHEREAS, Mr. Ressetano is the proud owner of a beautiful home in Fox Chapel, far away from the blight he has created in our City.

NOW, THEREFORE, BE IT RESOLVED, that Councilman Jim Ferlo salutes Mr. Ressetano as the individual achiever who most slum landlords would like to emulate; and

BE IT FURTHER RESOLVED, that this proclamation is official notification to Mr. Ressetano that if he does not clean up the property at 4521 Butler Street by this Saturday, 10:00 a.m., Councilman Ferlo will personally

deliver to his office in Bloomfield all the litter and trash that has collected at 4521 Butler Street for the last decade."

I just want to let Mr. Ressetano know about this proclamation. I think it's a great honor that he has earned this and I'll see him Saturday morning.

The Chair:

Is he here today?

Mr. Ferlo:

I wish he were here but he failed to show up to accept the proclamation, Mr. Chairman. But I will be there Saturday morning at his office in Bloomfield, if any of you would like to join me. And I have pictures which I would like to have Councilmembers look at. And I wish he were alone, but he's not alone.

Michelle Madoff:

I also think it is appropriate at this time, because I feel confident that Mr. Ferlo did his homework and everything he stated is accurate, but it would also be interesting to have perhaps some chastising of the people who haven't followed up from the appropriate agencies to see that this does not occur, sufficient penalties, fines, arrest if necessary, jail sentence if necessary. If everything Mr. Ferlo says is gospel, why hasn't he been stopped from doing what he's doing? We should know why and what agencies were responsible.

On another subject. I'm sure everybody is aware of the articles in the Press this week about St. Clair Village. And I thought it was really telling that one of the quotes stated that this is what Mr. Pietragallo thought was his shining star, his achieving, his glory. If that's what he thinks is wonderful, it's a sad day for this com-

munity. There are better than 20,000 people who live in this kind public housing. All of us, I believe, have public housing in their communities that have the same problem. This is not unique to St. Clair; it's no better, perhaps worse, in Westgate in some areas. We've brought it along tremendously; the crime rate has practically been eliminated. No shootings anyway. Broadhead Manor is no panacea.

I think at some point when we talk about responsibility to the community, the one thing that we're elected to do is to think about the human suffering in the community and I think it would be very appropriate, within a month or two at your discretion, perhaps at the end of April or the first of May, to have a meeting with Reggie Young of Housing and get to talk about what we can bring, ideas that we can have to make life better for everybody in public housing, to find out what is realistically being done.

Mr. Regan:

Mr. President, I'm really not old enough to remember those Tom Tucker bottles, I'd like my colleague, Mr. Ferlo, to know. But the Allegheny City which is the North Side which most people rarely come over and visit us, we'd like Mr. Ferlo to collect those Tom Tucker bottles and have an exhibit there on the North Side for us for our little celebration this year. Thank you.

Mr. Ricciardi:

Mr. President, I haven't seen one of those bottles for a long time on the South Side of Pittsburgh. But I would like to mention, picking up on Mr. Ferlo's idea, that Mr. Cohen, Mr. Miliones and myself working with community groups and the Administration in the Oakland area, are beginning to address the problems of absentee landlords. And, hopefully, once we kick off this task force, maybe we could have a

type of press conference and if it works in Oakland, we might be able to carry it on into the other parts of the City. Thank you.

And on the motion of Mr. Millones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, March 13, 1990

No. 11

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, March 13, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to welcome Ms. Espisito and her third grade class from St. Basil School here today.

PRESENTATIONS

Mr. Darkins presents

No. 475 WHEREAS, Keisha McBroom, a 12 year old student at Florence Reizenstein Middle School, was left to care for her four brothers and sisters on Friday, February 2, 1990; and

WHEREAS, on that morning the home's furnace exploded, causing the home to be engulfed in flames; and

WHEREAS, Keisha discovered the fire and competently and courageously, without regard for her own personal safety, repeatedly returned to the flaming house several times to rescue her younger brothers and sisters, Darrell age 8, Keith 7, Deborah 4, and Drashawn 2; and

WHEREAS, Keisha McBroom remained calm and did not panic during this life-threatening experience and is to be recognized for her valiant efforts that saved the lives of her family members.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Keisha McBroom for the brave and outstanding heroic efforts she demonstrated in saving the lives of her brothers and sisters on Friday, February 2, 1990.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Keisha is here today and I'd like to let my colleagues on Council know that her mother is here, her grandmother is here.

When I started with the City of Pittsburgh years ago as a counselor in the Neighborhood Youth Corp, Keisha's mother worked for me in my office. It's just so rewarding to have them here today.

This came through the efforts of Officer Drummond from our Ninth Council District. It was brought to my attention and I thought that this was a rewarding thing that should be done at this time.

Ms. McBroom:

I don't really think of myself as being a hero, but I thank God the most and I thank him for giving me this message to save my family and I'm proud of myself.

And I thank you, all the people who are doing this for me right now.

Mr. Darkins:

We also have from Reisenstein School her teacher, her principal, and also our School Board member here, that came along today to accompany Keisha in receiving this resolution.

Officer Drummond has something from their Zone 5 Station to present to Keisha today.

Officer Drummond:

From Commander Mitchell, all the officers at Zone 5 Station, we are very proud of this juvenile here. She has done a job that we really want to commend her for. It's from all of us at Zone 5 Station. We don't just get the bad one; we get the good ones as well. We love you.

The Chair:

Thank you.

Mr. Darkins:

Mr. President and my colleagues on Council, I'd like to recognize today the men from Greyhound.

Mr. Darkins presents

No. 476 WHEREAS, the employees of Greyhound Bus Lines, represented by the amalgamated Council of Greyhound Local Unions, are on strike; and

WHEREAS, the strike is affecting more than 9,000 employees nationally and 135 employees locally; and

WHEREAS, Greyhound's contract negotiation tactics demonstrate an utter lack of good faith towards its employees; and

WHEREAS, among other things, Greyhound is refusing to negotiate with its retirees, the very people who made Greyhound what it is today; and

WHEREAS, one person has died while on the picket line; and

WHEREAS, this resolution constitutes an emergency measure providing for the immediate preservation of the public, property, health or safety in that the Greyhound strike does not serve the interests of the traveling public and

should be concluded immediately.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the striking employees of Greyhound Bus Lines, and calls upon the bus company to resume negotiations toward a new contract in good faith.

Mr. Darkins moved to adopt the resolution,

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. O'Neill is here to receive this resolution.

Mr. O'Neill:

I first want to congratulate all of City Council and the Mayor for passing this resolution. And on behalf of all my fellow Greyhound employees, this is the kind of action we want to take to try to bring the Company to a fair settlement of our dispute. We appreciate calling for the City of Pittsburgh. The safety of the people is a top consideration and we ask them to print a boycott.

On behalf of all the Local 1043, that's the Greyhound drivers and all the organized labor in the City and the County in the State of Pennsylvania, this is a brave thing you did, and we appreciate it.

The Chair:

Thank you.

Mr. Ferlo:

I'd like the representatives of the Boys

and Girls Club to come forward. Mike Hepler who is the President and CEO of the Boys and Girls Club of Lawrenceville; and another staff member, Tim Macahone who is Executive Vice President.

Mr. Ferlo presents

No. 477 WHEREAS, the Boys and Girls Club of Western Pennsylvania in Lawrenceville was founded on March 21, 1923 by members of the Rotary Club of Pittsburgh with help from the business community, and in particular R.B. Heppenstall, Sr.; and

WHEREAS, the United Way has been a sustaining force throughout the existence of the Club; and

WHEREAS, the Lawrenceville Boys and Girls Club is the only organization in Lawrenceville which provides supervised recreational, educational and social activities for the youth of Lawrenceville; and

WHEREAS, the Club has initiated the Smart Moves Youth Program which is a unique and innovative program aimed at dealing with the critical problems of drugs, alcohol and teenage pregnancy; and

WHEREAS, the Club is used for Rotary Club meetings, bingo games and other activities for adults; and

WHEREAS, the Club has been in the forefront working with law enforcement officials, elected officials and community groups in a neighborhood wide effort to eliminate on-street trafficking; and

WHEREAS, on October 25, 1989, the Lawrenceville Boys and Girls Club was the target of robbery and arson which resulted in a four-alarm fire; and

WHEREAS, the fire caused extensive smoke and water damage to the Club, and destroyed the Club's administrative offices for Western Pennsylvania, and wiped out improvements made throughout the Club in a year-long modernization program costing more than \$300,000; and

WHEREAS, last year the Council of the City of Pittsburgh allocated emergency funds of \$10,000 to the Club, and in doing so, joined numerous local residents and organizations who voluntarily contributed to the renovation fund; and

WHEREAS, the Lawrenceville Boys and Girls Club will celebrate the Grand Opening of their newly renovated facilities on March 17, 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby designate March 17, 1990 as Lawrenceville Boys and Girls Club Day in the City of Pittsburgh, and wishes the Club continued success in the future.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you, Mr. President, and members of Council. Again, I'd like to have Mike and Tim say a few words. I really appreciate the previous City Council, and I'm sure this Council would likewise have stepped in and contributed. We made an emergency allocation last year of \$10,000 to try to assist them with some of the relocation of the administrative offices in order to maintain the program. It's a tremendous effort

and a statement not only by the organization itself but many who came forward from the community within Lawrenceville, really City-wide, to contribute to the rebuilding and the renovation fund. This is an important organization in the community.

I think, and I'm sure that Mike will say this better than anybody, this organization is not going to go away and it's not going to be intimidated, and I'm sure this organization is going to continue with many of us who are working diligently in Lawrenceville to eliminate on-street drug trafficking. There's no turning us around; we're going to continue, and I appreciate the support that Council has given in the past and I hope that everyone will participate and is invited on March 17th.

I'd like to introduce Mike and Tim and maybe they'd like to say a few words.

Mr. Hepler:

With all the children here, I feel like I'm at one of our Boys and Girls Clubs and it kind of makes me feel at home.

The fire on October 25th did put us out of business in Lawrenceville. However, immediate funds that came forward from the City enabled us to set up alternative programs within the community so that we did have something for the children. Here it is, five, almost six months later, and we're ready to open this building up and the building is gorgeous. I do hope, if you are available, that you would stop in the club and observe what your generosity is helping us to provide.

We have but one mission, and that is to make the growing up years count for the children. And with the help of a lot of people in this town, it's a reality, every one of our operations. But it's nice to have friends in a time of need. We

had a time of need, the City responded, and I truly appreciate that. Thank you very much.

Mr. Macahone:

Ironically, my son is one of the members of the St. Basil class that's here. Hi Mike. My wife is here as a chaperone. Very convenient.

Thank you very much. We really appreciate the help both financially and emotionally. We're very excited to re-open and we really look forward to working with kids again. That's what we're all about. Thank you.

The Chair:

Members of Council, I'd like to ask Sister Michelle O'Leary, the President of the Pittsburgh Ireland Institute, to please step forward along with the Oak Grove Ceili Club of Derry, Ireland, a group of dancers that are in town for the entire St. Patrick's week. We welcome all of you to receive this resolution and after the resolution we understand there is going to be an exhibit, a quick dance, and we ask you to utilize the entire floor when you do that. And as you noticed, the resolution is in green.

The Chair presents

No. 478 WHEREAS, the Ireland Institute of Pittsburgh provides education, job related training, and cultural and reconciliation programs designed to improve the economic status and quality of life for individuals from Northern Ireland and the Republic of Ireland; and

WHEREAS, the Ireland Institute of Pittsburgh is having its first cultural exchange program for 1990 by sponsoring the All Ireland Champion Dancers and Musicians during the week of March 10-18, 1990; and

WHEREAS, the All Ireland Champion Dancers and Musicians are comprised of ten dancers and two musicians from the Oak Grove Ceili Club of Derry, Ireland; and

WHEREAS, the troupe has competed in various competitions throughout Ireland and England where their dominance in these competitions gave them the enviable position of being named the All Ireland Ceili Club Champions for the past four years. Their repertoire includes Irish traditional dance sets, figure dancing and Ceili dances depicting different aspects of Irish culture and symbols; and

WHEREAS, the performers that make up the All Ireland Champion Dancers and Musicians are: Minty Thompson, Nuala Walker, Bernard Heaney, Paul McGarrigle, Anne Ferguson, Deirde Monaghan, Jim McIvor, Christine McIvor, Roisin Harrigan, Mannis Doherty, Jack Mackey and Edward Brady.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes the All Ireland Champion Dancers and Musicians to Pittsburgh and salutes their success in the various competitions they have entered; and

BE IT FURTHER RESOLVED, that the Council extends its thanks and appreciation to the Ireland Institute of Pittsburgh for their participation in this cultural exchange between the people of Pittsburgh and the people of Ireland.

Mr. Coyne moved to adopt the resolution.

Mr. Millones seconded the motion.

Which motion prevailed.

Mr. Regan:

Mr. President, I would like to welcome

this group in Irish. "Cead Mile Failte" which means "A hundred thousand welcomes".

The Chair:

Thank you, Mr. Regan.

Again, I would like to welcome all of you and Sister Michelle O'Leary who is the President of the Ireland Institute of Pittsburgh.

As everyone knows, this is St. Patrick's Week in the City of Pittsburgh. The group has been in town since the 9th, last Friday, and has performed numerous times already and will continue through the remainder of the week, not only today, but in front of the County Commissioners on Thursday. The big event is the St. Patrick's Day Parade that they will partake in.

I would like to introduce Sister Michelle O'Leary to introduce the group, and we're going to have a dance, I understand.

Sister O'Leary:

Thank you, very much. On behalf of the Oak Grove Ceili Club, I'd like to introduce Mr. Ed Brady who is the Chairman, or the leader, of this group. Thank you.

Mr. Brady:

On behalf of the Oak Grove Ceili Club, I would like to thank you for receiving us to play for your beautiful City.

Since our arrival in Pittsburgh, we have really been made to feel at home by all we have come in contact with. The cordiality and friendship bestowed on us is enhanced by the close links formed between our two cities with the Ireland Institute of Pittsburgh. The City has formed close links not only with Derry, but also with various parts in both Northern and South-

ern Ireland through the many projects innovated by the Ireland Institute of Pittsburgh. These projects are designed to improve not only the economic status but also the quality of life enjoyed by their participants through providing the job related training, education and reconciliation.

I would like to thank you all in our own Gaelic tongue, "Taing Bui Dhea Coas."

AT THIS POINT, THE ALL IRELAND CHAMPION DANCERS AND MUSICIANS PERFORMED.

The Chair:

Thank you all, very much.

Mr. Cohen presented

No. 441 Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$2,675.00 in payment of the re-installation of a security system at the McKinley Park Maintenance Buildings, payable from Code Account EC 89-54.

(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 442 Resolution further amending Res. No. 899, eff. 10/3/85, as amended by Res. No. 867, eff. 10/6/86, as amended by Res. No. 859, eff. 11/4/87, entitled, "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Professional Engineering/Architectural Services in connection with the Design of Clemente Park River Safety Center; and providing for the payment of the costs thereof," by increasing the

total project allocation by \$20,000.00 from \$115,000.00 to \$135,000.00, chargeable to and payable from Code Account LB 84-02.

Also,

No. 443 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations and Various Business Districts in the City of Pittsburgh at a cost not to exceed \$75,000.00, chargeable to and payable from the "1989 Project Fund" Code Account EC 90-143-\$50,000.00 and Code Account EC 90-261-\$25,000.00.

Also,

No. 444 Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants for Architectural/Engineering Services in connection with Various City Projects at a cost not to exceed \$300,000.00, chargeable to and payable from Code Account EC 90-88, "1989 Project Fund".

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 445 Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the purchase and delivery of a Portable X-ray Unit and Accessories at a cost not to exceed \$14,500.00, chargeable to and payable from Miscellaneous Equipment, Department of General Services.

Also,

No. 446 Communication from Councilman Coyne, requesting authorization for Doris Galisin, Administrative Assistant, to

attend the WordPerfect Seminar (Beyond the Basics), April 27, 1990, at the Westin William Penn Hotel, Pgh., PA, at a cost not to exceed \$125.00, payable from Code Account 1001-3, Education and Training.

Which were read and referred to the Committee on General Services.

Mr. Darkins presented

No. 447 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal installation at various locations within the City of Pgh, at a cost not to exceed \$75,000.00, chargeable to and payable from Code Account PW 47, Signals at Various Intersections. The money used to fund this project will be drawn from the 1989 Project Funds.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 448 Resolution providing for a Contract or Contracts with the Bloomfield-Garfield Corp. for the relocation and repair of the Veteran's Honor Roll Monument located on Penn Avenue in the 8th Ward of the City of Pgh. in an amount not to exceed \$3,200.00, chargeable to and payable from Code Account 1801, Dept. of Parks and Recreation.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 449 Resolution approving a Conditional Use Exception under Section 993.01(a)A-14 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Allegheny General Hospital, owner, for authorization to construct a five-story, 120-bed continuing care facility on the southwest corner of HEMLOCK STREET and JAMES STREET. The facility is to be located on property zoned "I-M" Institutional-Medical District, in the 22nd Ward.

Also,

No. 450 Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain district known as the Allegheny West Historic District.

Also,

No. 451 Resolution providing for an Agreement or Agreements with Community Human Services for the payment of operating costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$58,368.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 452 Resolution providing for an Agreement or Agreements with Women's Center & Shelter for the payment of furnishings and operating costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$41,746.00,

chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 453 Resolution providing for an Agreement or Agreements with the North Side Common Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$29,500.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 454 Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or rehabilitation costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$22,735.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 455 Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$35,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 456 Resolution providing for an Agreement or Agreements with Womanspace East for the payment of maintenance, operation,

insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$17,520.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 457 Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$27,086.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 458 Resolution providing for an Agreement or Agreements with Whale's Tale for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$34,436.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 459 Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$28,000.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 460 Resolution providing for an Agreement or Agreements with Three Rivers Youth for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$19,290.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Also,

No. 461 Resolution providing for an Agreement or Agreements with Salvation Army (3rd Avenue) for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, "ESGP Trust Fund".

Also,

No. 462 Resolution providing for an Agreement or Agreements with the East End Cooperative Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program, at a cost not to exceed \$49,319.00, chargeable to and payable from the Emergency Shelter Grant Program, "ESGP Trust Fund".

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Millones presented

No. 463 Resolution providing for the issuance of a warrant to Gaglia Contractors & Landscaping, Inc. in the amount of \$5,000.00 in full settlement of claim for reimbursement for loss of contract, profit and extra expense on

Pittsburgh Zoo Phase II Project in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 464 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1989 to the same or to other code accounts for the year 1990.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 465 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 466 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) in connection with their Emergency Medical Services system for the protection of life and health of the people within the City of Pittsburgh, at a cost not to exceed \$42,896.00, chargeable to and payable from Code Account 1421, Bureau of Emergency Medical Services, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 467 Communication from Mayor Sophie Masloff, informing Council of the appointment of Andrew Clayton Hughey, 1271 Benton Avenue, Apt. #6, Pgh., PA 15212, as a

member of the Civil Service Commission for a term to expire concurrent with the Mayor's term of office.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 468

Report of the Committee on Finance for March 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 354

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of D & L Plumbing in the amount of \$12,930.78 in payment of an Emergency Contract to install plumbing modifications to the EMS Headquarters Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 357

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Twenty-Four (\$24,000.00) Dollars for payment, without previous authority of law, to River Salvage Co., Inc., Alvin Stein, President, for emergency repairs to the Sinking River Rescue Boat House, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 358

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred and Seventy-Five Thousand (\$175,000.00) Dollars from Code Account 1154-1, Index Code 115410, Rental of Motorized Equipment, Department of General Services, to Code Account 59, Index Code 005900, Carnegie Library of Pittsburgh."

Which was read.

Mr. Coyne:

Mr. Chairman, on Bill 358, concerning

the General Services agreement with Carnegie Library for certain mechanized equipment, I voted in favor of this bill last week; however, Councilman Cohen has informed me that questions he had of the Director of the Department have gone unanswered as of this time. Therefore, I'm recommending that we recommit this bill until tomorrow so that Mr. Cohen can have his questions answered.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

Bill No. 363

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of AGA Gas, Inc., P.O. Box 94737, Cleveland OH 44101-4737 in the amount of \$2,280.00 for equipment furnished for the benefit of the City in connection with the loss of compressed gas cylinders and providing for the payment thereof." Which was read.

Also,

Bill No. 364

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Environmental Resources, Certification Licensing and Bonding, P.O. Box 2063, 6th Floor, Fulton Building, Harrisburg, PA 17120, in the amount of \$1,400.00 in payment for certification of the Water Treatment Plant Laboratory, furnished for the benefit of the City in connection with the Pennsylvania Safe Drinking Water Act of May 1, 1984 and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 365

A Resolution entitled, "Resolution providing for the acquisition from Rose Marie Balestrieri certain property located in the 8th Ward, City of Pittsburgh and providing for the cost of the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

I'd like my remarks on Bill No. 365 brought forward for the Record.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 365-Wednesday, March 7, 1990)

Mr. Cohen:

I just want to take an opportunity to commend Councilman Ferlo for working on this, and also the Bloomfield Citizens Council, at whose initiative this takes place, particularly Jan Scullion, the President of the Bloomfield Citizens Council.

I think this will make for a really great rec center. And once again, the BCC is moving to improve the quality of life in Bloomfield. That is why I think we should all be supportive and commend Councilman Ferlo for his efforts.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Also,

Bill No. 366

A Resolution entitled, "Resolution authorizing a License to the Peoples Natural Gas Company to install, construct, use and maintain, at its sole cost and expense, a gas line across property of the City of Pittsburgh known as the Heth's Run Bridge area situate in the 11th Ward and designated as Block and Lot 82-H-1 for a fee of \$2,615.00."

Which was read.

Also,

Bill No. 367

A Resolution entitled, "Resolution authorizing a license to the Peoples Natural Gas Company to install, construct, use and maintain, at its sole and expense, a gas line across property of the City of Pittsburgh known as the Frick Park area situate in the 14th Ward, for a fee of \$7,500.00.

Which was read.

Michelle Madoff:

Clarification on Bill 367. Last Wednesday the number that appeared on the bill was \$7,500 and the bill here is \$7,750. Which is the correct number?

Mr. Perry:

\$7,500.

Michelle Madoff:

So the bill we're voting on says \$7,750 and it's in error. You'd better make a motion to correct it, somebody.

Mr. Milliones:

So moved.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 469

Report of the Committee on Public Works for March 7, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 234

A Resolution entitled, "Resolution vacating 38th Street between Liberty Avenue and Ewing Street in the 6th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 395

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Down by the Riverside."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 470

Report of the Committee on Planning, Housing and Development for March 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 334

Resolution authorizing the URA of Pgh. to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 16th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block and Lot Numbers 12-P-152 Part, 13-F-151, 13-E-220, 13-F-32, 13-F-29,

13-F-1, 13-E-280, 13-E-255 and 13-J-8, under the Residential Land Reserve Fund."

Which was read.

Mr. Ferio:

I'd like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 334-Wednesday, March 7, 1990)

Mr. Ferlo:

Director, this was held a couple weeks ago. Obviously, Council, in approving the ice skating rink, is very supportive and wants to fast track this important effort. However, this thing is somewhat tangential to the skating rink proposal, which we have already given final approval to, and this would provide land that would become available to one specific developer supposedly, and this would be the same gentleman who would operate and develop the skating rink proposal.

We did ask for some information, I don't know if we received it today. We wanted a better appreciation for who the developer is and what his particular track record is in developing housing on the site. Apparently from a memo from Evan Stoddard, we are talking about 23.9 acres of property conveyed, which is a significant amount of land, at least 17.5 acres is developable. So lots of questions come to mind: What is this individual? What is his track record in development? Why are we dedicating this land only to one developer? Why not see who can present us with the highest and best use for housing on that site?

Again, we are not privileged to any meeting that has taken place possibly with the community, we have received no information regarding the ability financially or otherwise of Mr. Shuttleworth to do this housing. There are just a lot of questions that have to be answered.

Personally, I couldn't vote for this until there was a public hearing. I would like some better assurance that the community is involved and having input on this whole issue.

Mr. Whitmer:

Let me address it, first, in relationship to the skating rink. It is my understanding that Mr. Shuttleworth approached the Parks Department or vice versa with respect to the skating rink and his desire to develop the skating rink into a recreational use. Secondly, his desire was to look at the potential of developing the property adjacent to the skating rink. To the best of my knowledge, there has never been any interest in that particular site. I think Mr. Shuttleworth's position was if I am going to sink my money and do all this work involved in getting the skating rink, at least I would like an option to look at the property that is adjacent to develop the housing. That's essentially all we are doing here, is giving -- and we haven't yet -- Mr. Shuttleworth an option for a specified period of time to develop that property. That is not saying he is going to develop it; he still would have to come back to us even before we would acquire the property from the city with the development plans.

Mr. Ferlo:

But, Director, it does set into motion what amounts to a dedicated transaction, a dedicated sale or authorization from this particular developer to do whatever it is that ultimately he would desire approval-wise, whether or not he could do it. But it does apply, at least a dedicated kind of transaction with one developer. As is often the case, in the brief time I have been on Council and even before as a community activist, it is unfair to say that there might not be other interested parties. Oftentimes people who are into development, especially housing, will interact with the City bureaucracy only to be told, "The land is not available," or, "It is for somebody else," or one thing or another. I would like some sense that others are -- I think the atmosphere of competition is needed here, unless there is some overriding reason why it has to be this particular individual.

The specific question I have is why are we having a dedicated sale to this individual when we haven't been supplied with any information as to his financial background, what other types of housing and track records he has built?

There is also a question I have, which I don't know if you can answer, maybe somebody from Parks, it has been conveyed to me from the community that there is a possibility that either part or some of this land has some covenants on it in relation to the original deeding of this property to the City. And I was wondering, is there any truth to that information?

Mr. Whitmer:

That is all information that would have to be determined, because there are title searches and everything, and the developer is fully knowledgeable that for some reason we may not be able to convey that land.

I think the question here is really, the developer came forward and said, "I want to take an asset off the city that is not being used, the skating rink, and develop it. I would also like the opportunity to develop the adjacent property within a specified length of time, or look at developing it. I don't want somebody else coming in and developing when I spent all this money on the skating rink."

Mr. Ferlo:

We are talking about 17 acres of land, which could amount to 150 housing units. In every other instance, the Crawford Roberts example and others, there was a very lengthy process of community involvement, an air of competition with various competitors, developers or construction people were involved. That may have taken place in the community, I don't know, maybe Mr. Ricciardi or others would like to speak to it. I have a problem with a dedicated sale when we have so little information to vote on it.

(Deleted text.)

Mr. Ferlo:

I am in support of all the things that were just outlined by Mr. Ricciardi. The issue is the process, and the process so far is inadequate. Part of that process is more adequate information to this legislative body. I think it is irresponsible to vote on this until we have additional information.

Mr. Ricciardi mentions a plan. Is there some plan we could review, either by the developer --

Mr. Whitmer:

There will not be a plan for some time. The only thing we are doing -- I am speaking for the Parks Department -- is trying to accomplish the skating rink first.

Mr. Ferlo:

Why are we voting on this, then?

Mr. Whitmer:

Because I think the developer has taken the position in his negotiations that, "If I am going to invest money into the skating rink, I want to have an exclusive opportunity for a period of time to take a look at the development of this adjacent property."

Mr. Ferlo:

What other development has this gentleman been involved in that you could point to?

Mr. Whitmer:

I can't give you specifics, but he has done other development, mostly in the South Hills, he is a South Hills developer.

Mr. Ferlo:

I would like to know that information. It is a fair and reasonable question.

(Deleted text.)

Mr. Ferlo:

Let me conclude, Mr. Chairman. What happens theoretically -- and I am not saying I am for or against this --

that this land is made available to him, and assuming proper zoning were in place and the gentleman wants to bid on Housing Authority for Section 8 units? In other words, these are things that I think should be discussed.

Mr. Whitmer:

All these would come back in the development plan.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 471

Report of the Committee on General Services for March 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 223

A Resolution entitled, "Resolution providing for a professional services agreement or agreements for the use of existing agreements for the purchase of fuel for City owned vehicles, and pro-

viding for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 223, the infamous gasoline credit card, of which there are over 700 in this City, I object to this strongly. I didn't debate it to death this time since most Councilmembers seem willing to support it.

I do want to point out, however, that this contract has ballooned into a \$625,000 contract. Originally, it was suggested a year ago, that it would be no greater than about \$350,000.

Again, it makes more sense to me, cost effective-wise, to utilize the existing gas pumps that we have in a different department, and that is the Department of Public Works, of which there are 7 strategically located all around the City. There's nothing wrong with a police officer or somebody else getting out of their car and pumping their own gas, but that's really not even necessary because, at these pumps, they are currently staffed and serviced about 70 percent of the time by a Public Works individual worker at the gas pumps.

Secondly, if we wanted to have a creative use for light duty or modified duty for individuals on workers' comp, let them come back and pump gas at some of these stations that we operate in the City. It makes no sense to spend \$1.30 plus for this gasoline. It's a waste of money. This is a give-away which makes no sense to me when we can achieve the objective which basically is to give our emergency vehicles a better place for gassing up their vehicle without having to go back to the Strip District location.

So, I strenuously vote no on this.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Millions
Mr. Darkins	Mr. Ricciardi

AYES 6 NOES 3

(MR. FERLO, MR. REGAN AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 229

A Resolution entitled, "Resolution amending Res. No. 500, eff. June 23, 1989, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of motorized fire equipment for the Dept. of General Services, and providing for the payment thereof, by increasing the total project allocation by \$660,000.00 Dollars from \$1,302,000.00 to \$1,962,000.00.'"

Which was read.

The Chair:

I'd like my remarks brought forward on this bill, please.

Michelle Madoff:

Mr. President, would it be in order to include the statements by Ms. Botsford because I think the public listening to this debate might think that we're acting irresponsibly. I think we're voting, based on information that we had, that it would be the most cost effective way to proceed with the present system. Someone listening would say that we're just doing a give-away and I think it would be incumbent upon us to put the section where she responds to the specific bill into the Minutes. Do you have any objections?

The Chair:

No, not at all. Please bring the Administration's comments forward.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 229-Wednesday, March 7, 1990)

Mr. Wagner:

Chief, forgive me if I am redundant, but on the issue of buying the equipment, I always bring it up, and I know you communicated to me a couple times in writing on it. I support you totally in regard to the new vehicles, housing the people in the cab. Prior to being the Chief, Council was very supportive of the Administration doing that and making the vehicle safer. But the issue that keeps coming up is the elimination of parking on streets, and the public is being told the reason behind it is that new fire equipment is bigger, needs more space on the streets. And I simply want to be reassured in voting for this legislation that we are not going to eliminate parking on any streets due to the fact that the vehicles are bigger, need more room, need greater turning radius.

So can you simply reassure me again, as you have in the past, that that is not the case?

Mr. Dickinson:

We are taking the brunt, as I said in my correspondence to you, for a lot of problems. Vehicles of all sizes today, because I suppose the Fire Bureau has red lights and we use sirens to do our work, we are very visible. Our apparatus today, Councilman, is no wider than apparatus that has been in this city ten years ago. We do have some smaller apparatus, Councilman, but those are unavailable anymore. I think you are aware of those problems that we have.

Let me make this commitment: Safety is always paramount to us. I am not sure any rational decision can be made in a dialogue across the table when we are dealing with streets that were built in the 1800's with absolutely no one in their wildest imaginations thinking that even cars today would be the size they are, let alone fire apparatus, dump trucks, garbage trucks, Environmental Services, all those different issues.

This, I can guarantee, is the Bureau absolutely does not want to create any hardship on any citizen in this community for parking. We understand that issue, we understand it clearly. We get beat over the head constantly every day over these issues. But I have to guarantee the safety, again, of the community, that we can get access to some of these places. I can only tell you we will do our very, very best in trying to reach resolution of issues over this. I can tell you that it is probably less than one-tenth of 1 percent of problems in our streets. As since I have been the Fire Chief, I have yet to hear we couldn't make it to a fire because of street access. What I do hear, though, is we have tremendous problems in some areas getting there. The bottom line is these apparatus and these specifications are no wider than the existing apparatus that we have on the street. None, as long as I am Fire Chief in the City of Pittsburgh, would be any wider than that. We

legally can't go any wider than the newer apparatus that we received and the ones going through the bid specification.

I wish there was a simple answer, because I understand the heartburn of the homeowners and the people who live in this city when it comes to parking issues on the street. I commit to this Council to be very sensitive to those decisions and only make those decisions when it is a difference of being able to get apparatus to the fronts of buildings and not.

Mr. Wagner:

Let me summarize, then. What you are saying to me is the purchase of this apparatus will not eliminate any parking on any of the streets in the City of Pittsburgh?

Mr. Dickinson:

Absolutely not.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(DAWN BOTSFORD'S COMMENTS ON BILL NO. 229-Wednesday, 3/7/90)

Ms. Botsford:

What I have passed out to Council is a calendar of events of the entire process that we used to do this bid specification, to do the initial bid and then to do the rebid. Nothing went wrong; it worked exactly as it was supposed to work.

Mr. Ferlo:

How is that?

Ms. Botsford:

The Apparatus Committee came up with a specification for a truck that they wanted. When we put that specification out to bid, not one single bidder of the four eligible bidders bid on that truck without exception. Consequently, every bidder took various exceptions, and not all of them took the same exceptions. Based on that, there were over 100 exceptions all total among the bidders. We took those exceptions back to the Apparatus Committee and we said, "Which of these can you live with? Which of these are suitable? Which will we accept on our truck?" They came up with a list of what they would accept. And based on that list there was no way to award to any of the vendors who had bid at that point without being unfair to all the other vendors.

Mr. Ferlo:

What can you give us, Director, between now and the final vote, that indicates to us in writing an analysis of what you just said? What is in writing that you can give us that talks about those bidding exceptions?

Secondly, do you have some reports from the Apparatus Committee that gave some sign off? Is there something in writing that verifies or quantifies what you are saying right now to Council?

Ms. Botsford: I have, I believe, given you this before, which is a memo dated 11-6-89, which is the recommendation from the Chief and from my Superintendent in which they went over all the exceptions, they went over the process, and they recommended to rebid on the fire pumpers based on the recommendations of Apparatus Committee. I have that here in front of me, and I will be happy to give you a copy of that.

Mr. Ferlo:

Is there some report from the Apparatus Committee regarding their observations for the second time around that goes into the recommendations for rebidding that we are going to give them

today?

Ms. Botsford:

There is a report. The minutes of that Apparatus Committee meeting, I do have those, also, with each of the exceptions outlined and what the Apparatus Committee's recommendation was.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES 2

(MR. FERLO AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 359

A Resolution entitled, "Resolution providing for the letting of a contract or contracts and/or an agreement or agreements, or for the use of existing contract(s) or agreement(s) for the replacement of the Centrex Main Console, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 472

Report of the Committee on Parks and Recreation for March 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 419

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation to change the name of Frazier Field to Dan Marino Field." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 473

Report of the Committee on Public Safety for March 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 368

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contract or contracts for the purchase of hardware to upgrade the existing automated EMS Billing System for the Bureau of Administration and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 474

Report of the Committee on Engineering and Construction for March 7, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 355

A Resolution entitled, "Resolution providing for an agreement or agreements, or use of existing agreements, and/or a contract or contracts, or use of existing contracts, for the Environmental Improvement Program at various locations; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 356

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Public Safety Facilities; and providing for the payments of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

Mr. Chairman, I'd like to take a minute to read a letter that I am sending today to the Governor's Office, to Mr. Michael Hershock who is the Secretary of the Budget, and also to bring something to the attention of Council. The letter

reads:

"Dear Mr. Hershock:

Governor Casey's capital budget of 1988 provided a \$5 million budget item for repairs to Streets Run Stream in the 31st Ward of the City of Pittsburgh. This appropriation offered some hope to the residents in the Pittsburgh neighborhood of Hays who have been so adversely affected by the flooding, litter and traffic problems created by the poor condition of this stream. Unfortunately, the Administrative steps needed to fund this project have yet to be undertaken.

The completion of this project would drastically improve the quality of life for the residents of Hays. The City of Pittsburgh, through the Pittsburgh Water and Sewer Authority, is currently in the process of a source study of this area to make recommendations on limiting further deterioration of the stream. However, this study will not address the degeneration and decay that already exists.

I urge you and Governor Casey to float a bond that is necessary to finance this project and move ahead as quickly as possible."

Now, Mr. Wagner, I know you have been out to visit the Streets Run area and I would request you to set up something maybe within the next week, if possible, for other Councilmembers to go out and observe the situation.

It is something that the people of that area have lived with for many years and the problem has been worsened by the construction of new homes in the Brentwood and Baldwin area which increases the run-off and makes the size of the stream widen and get higher every time there's a major rain. The debris in the stream, the caving in of walls, and just the general lack of maintenance that has been provided

by the City, the County and the State is something that I think we all need to look at.

As I said, the City is currently doing a study to make recommendations on how to solve the sewer problems in that area, but I think that in waiting for the study to be done, which in talking to Mr. Consetino this morning, it won't be completed until next fall. What we need to do is at least put some stop gap measures in. There are some areas of the stream that need some guardrail and there are some other minor things which I think the City, either Engineering and Construction or the Department of Public Works could take care of.

So, I would request for you to set up some sort of a tour within the next couple of weeks so that Councilmembers can go out and observe the situation themselves and, hopefully, we can have the Department of Public Works or Engineering and Construction do something at least to alleviate the problem in the short term.

The Chair:

Thank you, Mr. Coyne. Through Mr. Perry's Office we will schedule something in the next couple of weeks, ask the appropriate Department Directors to come along, and I believe even the County is involved in this one.

Mr. Coyne:

Thank you, Mr. Chairman.

Mr. Ferlo:

Mr. Chairman, two brief issues. First of all, yesterday I filed a formal complaint with the Public Utility Commission in opposition to a rate request being sought by Equitable Gas Company and the City of Pittsburgh. I'm sure many of us pay an Equitable Gas bill ourselves and I would say that 80 or 90 percent of this City

does have Equitable Gas. In addition, this company serves about a 7 county area around Western Pennsylvania.

The rate request is, on the average, over ten percent increase on top of an already approved ten percent increase that they got about a year ago. It would raise revenues of over \$29 million for the company; however, of that \$29.5 million, close to \$22 million would come off the backs of the residential ratepayers. In addition, the rate request that is now filed with the PUC also seeks a higher rate for winter usage of natural gas as opposed to the summer and the spring rates, which I find unconscionable.

The Gas Company does not deserve this increase. It is unwarranted. It is callous and disregards the incomes and the livelihood not only of residential customers, but even the business community in the commercial sector who, I think, can ill afford another significant rate increase.

When we look at this rate increase coupled with the significant increase in the light bills on the part of Duquesne Light Company, I think we're really talking about economic havoc on the livelihood of individual residential customers as well as the commercial community.

I think it's important that we, as a municipality, also join forces in opposing this rate request. We have a track record in this City of opposing rate increases successfully in the instance of Duquesne Light Company, and I would encourage, and I've communicated to the Mayor and to Mary Conturo, the Solicitor, for the City as a municipality to also file in this complaint.

I would like to make a motion, however, that we send a communication to the Public Utility Commission asking them to hold either a public hearing or an evidentiary hearing here in

the City of Pittsburgh where people are directly affected by the rate hike so that they can hear from citizens first hand. And, obviously, I would like Councilmembers to be supportive in opposition to this rate request which I think is undeserved. I'd like to make that in the form of a motion.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. Chairman, on another issue very briefly. This is a problem that has been brewing for some time in the Bloomfield community concerning a convenience store, the A-Plus MiniMart in Bloomfield at South Mathilda and Liberty.

The problem basically stems from this store being a 24-hour operation and it is now basically a sore point in the community. The community, through the leadership of the Bloomfield Citizens Council, has pretty much come to the position, having met with the management of this convenience store. Councilman Cohen was at the meeting as well as myself and the leadership of the Block Watches in an around the area. This convenience store is a sore point and the community is demanding that this store close at 11:00 in the evening and remain closed from 11:00 p.m. until 6:00 a.m.

Basically, it's a congregation point, being an all-night store, for criminal element and the community is growing more and more alarmed at the situation and is demanding that the leadership and the management of the A-Plus MiniMart take into consideration the problems in the community and they have launched a boycott campaign against this store. I'm sure residents will shortly see informational picketing and informational leafleting at this store.

We are demanding that Mr. Ron Rossi who is the Division Manager of the A-Plus MiniMart store, which is a division of Atlantic Refinery Company, yield to the concerns and demands of the community and close this store.

I'd like to make a motion that we, on behalf of the Bloomfield Citizen Council, that this Council be supportive of the community and communicate to Mr. Rossi who is the Division Manager of the A-Plus MiniMart store, our concern and our support for the position of the community that the store be closed during the evening and early morning hours.

So, I'd like to make that in the form of a motion, Mr. Chairman.

Mr. Cohen seconded the motion.

Mr. Cohen:

Discussion. Mr. President, I was in attendance at that meeting and we met with the representatives from the company that owns this MiniMart on Liberty Avenue and the company is just not being cooperative.

What the community is asking is not a difficult request at all. All they're asking is that a security guard be placed on the premises and that the store close at a reasonable hour and that the criminal elements that are there not be allowed to congregate and cause problems in the Bloomfield community. Bloomfield is a very special and cohesive community and they're not going to let this happen.

So, I very strongly support Councilman Ferlo's motion.

Michelle Madoff:

Same subject. On the surface, it would

seem that we ought to support this legislation. But it occurs to me that if we have a criminal element, who is the criminal element and why aren't the police arresting them or dispersing them? Why don't they hire an off-duty policeman?

I don't know that we should throw the baby out with the bath water. I don't know enough about it. I agree that there should not be a criminal element congregating anywhere, whether it's in front of a bar in the North Side problems we've had all over the City, or whether we have youngsters carrying on on Grandview Avenue at the Overlook. We need to address that through our Safety Department.

However, I would just like to know a little bit more from the perspective of where are our police in all this. Could someone address that?

Mr. Ferlo:

I'd like to respond very briefly, Mr. Chairman. First of all, the Police Department does respond. Unfortunately, they respond all too frequently because of the consistent pattern of problems associated with this store being open all night long.

We know, and we can't B.S. the public, we know that the Police Department is understaffed and that there are inadequacies both in police response time as well as the number of available cars in each one of the police zones. Zone 5, which includes Bloomfield, has the largest number of Public Safety incidents in the City. It is probably one of the largest geographical zones, when you take into consideration just the demographics along with the southern zone and the southwest zone.

So, the problem, basically, is that the Police Department cannot be the private security

force for this problem store. This store amounts to being the new nuisance bar in Bloomfield. The community has struggled with the previous management which did institute some security, which, since the new management wants to cut costs and increase the profit margin, they have removed that security. So, because of the position, the hard-nosed position of the company, the community is taking the position of getting to the root of the problem and that is the all night hours associated with this convenience store.

The Chair:

If I may ask a question, does the store have security between 11:00 p.m. and 7:00 a.m.?

Mr. Ferlo:

No, it does not.

The Chair:

Why don't we request that also as a possibility?

Mr. Ferlo:

They refused to do that, Mr. Chairman, as stated by Mr. John Steele and on behalf of Mr. Rossi from the A-Plus MiniMart store.

The Chair:

Would either of you be against requesting that also in the letter?

Mr. Ferlo:

Absolutely not. We must certainly should request it.

The Chair:

Is there any other discussion on this?

All those in favor? Opposed?

WHICH MOTION PREVAILED.

Michelle Madoff:

You know, I thought I had heard everything in the years I've been here. There's something that has come to my attention that I have shared with some of my colleagues, not with all of them.

I had a call, as all of us from time to time receive, informing me that the Housing Authority of the City of Pittsburgh which supplied us with a list of employees as we get every year, and this one was dated January 22, 1990, had an employee that was hired, they felt, for the wrong reasons. The issue in my perception is not why the person was hired, because I don't think that really pertains to the concern I have and that Council should have. But I asked for the name of the person and, lo and behold, I check alphabetically in the Housing Authority of the City of Pittsburgh employees list of January 22, 1990 and the person was not here.

I subsequently spoke to the Acting-Director who informed me that, yes, indeed that person did work for the Housing Authority and I'm not sure whether the salary was \$24,000 or \$29,000. I said, "Why is their name not listed?" They informed me that they weren't listed because they were a temporary employee. I said, "Do you mean they work part-time?" "No, he works 40 plus overtime." "How long has the employee been there?", I said. "Over a year." I said, "Why isn't the name not listed as part of the Housing Authority report to Council on employees?"

Well, it seems that if somebody is on Workers' Comp, their job is preserved for two

years. Therefore, anybody working in place of that person is really not in place and that vacancy is considered a temporary employee, and therefore, they're not considered present. They're like a ghost employee. Granted, they're on the payroll, obviously, in the Housing Authority, but we do not receive the names.

I then said, "How many more do you have like this?" And they said, "Twenty-two."

I would like to respectfully request of the Chairman that we write to all the Authorities who, by law, have been giving us a list of all the employees. That would be the Housing Authority, the Water and Sewer Authority, Alcosan, all City Authorities. And I would like to know if they have any employees that are part-time or full-time but because of the policy of Workers' Comp have not provided us with the list of those people. I'd like to know who the people are, what the salaries are, how long have they worked there, and who sponsored them.

My gut is that this business as usual is still business as usual and this is why I had sent a letter out some time ago. I've never served on any Authority or Board and when I was appointed for four months, I think it was to the Leasing Authority, I resigned because that was the time that all the issues were coming up with Alcosan and I think the opportunities for patronage and for putting our two cents worth in as a member of this body is inappropriate.

There's nothing to stop us from going to a meeting. Nothing is stopping me from doing a performance audit on the Water Department last year. I'm doing another one; I'm updating it all the time, and I can go to any meeting I want to go to. I don't need a vote to see whether something is right or wrong. What we need to have good people on those boards. I think that patronage still exists and it's got to stop because we're going to start seeing the kind of things we saw

before.

I would like to have, as I said, a list of these people and who sponsored them.

The Chair:

So, the request is from all authorities to provide, in addition to the permanent employees, a list of temporary employees that work for those authorities.

Michelle Madoff:

But not just temps. How long have they been there? Do they work full-time? Salaries and who sponsored them. How were they hired?

We probably won't get answers, but let's ask the question.

The Chair:

I'd like to entertain a motion to approve the Minutes and compliment the City Clerk's Office for devising a method to do this in-house which, Mr. Perry has informed me, will save the City \$50,000 per year.

Michelle Madoff moved to approve the Minutes of Tuesday, February 13, 1990; Tuesday, February 20, 1990; and Tuesday, February 27, 1990.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Regan**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 12

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, March 20, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Mr. President and Members of Coun-

cil, if I could have the members of the Earth Day Coalition here, please, not to mention our Boy Scout and Girl Scout. I'm happy to read this resolution on behalf of Earth Day.

Mr. Cohen presents

No. 506 WHEREAS, almost twenty years ago, more than twenty million Americans joined together on Earth Day in a demonstration for the concern for the environment, and their collective actions contributed significantly to the last victories of the Clean Air Act, the Clean Water Act and the creation of the Environmental Protection Agency; and

WHEREAS, in the nearly twenty years since the first Earth Day, despite environmental improvements, the environmental health of the planet is increasingly endangered and threatened; and

WHEREAS, Earth Day 1990 is a national and international call to action for all citizens to join in a global effort to save the planet; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of acting in an environmentally sensitive fashion by recycling, conserving energy and water, using efficient transportation, protecting our natural resources and adopting more ecologically sound ways of living; and

WHEREAS, Earth Day 1990 activities

will include the Earth Fair at Point State Park, the distribution of environmental activities information to Pittsburgh students, kindergarten through 12th grade, college students conduct environmental audits on their campus, community trash-a-thons, a multi-denominational sunrise service at Point State Park on April 22nd, the planting of over 40,000 trees and a Symposium of Business and Industry to introduce state of the art waste reduction technologies; and

WHEREAS, the City of Pittsburgh must unite with the network of other U.S. cities and cities around the world to share in the environmental concerns, not only of our region such as acid rain, carcinogenic air, strip-mined mountains and acidified streams, but issues that affect our whole planet such as global warming, rain forest devastation, ocean dumping and a growing world population.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby designate and proclaim April 22, 1990 as Earth Day 1990, and that that day shall be set aside for public activities promoting environmental preservation of the City of Pittsburgh and our entire planet.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I'd like to introduce a few members here of the Earth Day Coalition; Mr. Tim Barner who is the Chair of Earth Day Coalition of Western Pennsylvania; Ms. Suzanna Downie who is the Secretary Treasurer; and Mr. Randy Walsh who is the Coordinator. We also have with us today a Boy Scout, Phil Artuso and a Girl Scout,

Yvonne Smith, who will be handing you little seedlings for each of you to plant in your district. Please do that, as long as they are 500 feet away from a bus stop.

Mr. Barner:

Thank you, Councilman Cohen, Council President Wagner, other Councilmembers. On behalf of the Earth Day '90 Coalition of Western Pennsylvania, we thank you for passage of this City Council resolution which calls the attention of citizens of Pittsburgh to Earth Day 1990 and to the actions which we can all take to create and maintain a quality environment here in Pittsburgh and on our planet.

On April 22nd, Pittsburgh will join with over 2,000 cities and an estimated 100 million people around the world to usher in A Decade of the Environment proclaimed by the United Nations. Your resolution states the goals of the decade well.

In 1990, we understand more closely than in 1970 the connections between today's cost for inefficient energy, tomorrow's solid waste disposal problems, and the clean and green qualities of the local environment which we are borrowing from our children.

Many Pittsburghers are excited by the recent political changes in the Eastern European homelands of their families, but the lifting of secrecy has revealed a forest devastation and poisoned air from an industrial economy without controls. The cost of repair has been placed on the shoulders of the next generations there.

Sharing Pittsburgh's experiences in smoke control and current efforts to produce jobs while retaining environmental quality here may be an important part of our foreign aid to those cities in addition to our dollars.

Meanwhile, here in Pittsburgh, preventing rivers spills, cleaning up toxic waste and buying home products with environmental considerations, are global actions that reduce pollution and conserve resources.

As Executive Director of the World Federalists of Pittsburgh, I'm pleased to work with so many other Earth Day planners who are thinking globally, acting locally, and responding personally.

I hope that living with the environmental integrity described in the Earth Day Green Pledge will also prepare us for a different kind of global dialogue, perhaps an environmental partnership among cities.

In 1992, the United Nations Conference on Environment and Development meeting in Brazil will debate and plan the governing structures for the environment that will carry our earth into the 21st Century. We hope that Western Pennsylvania communities, Pittsburgh and others, through Earth Day participation, will better understand the kind of global village partners that we want to be.

We need your leadership and partnership as our City Council in beginning this decade of the environment today.

On behalf of the Earth Day '90 Coalition, I want to present each of you with a planet poster distributed through the World Federalists, "Our Planet In Every Classroom" project.

Thank you for your consideration.

Mr. Walsh:

Let me start by saying thank you to Council for having us here. My name is Randy Walsh; I'm coordinating activities for Earth Day here in Southwestern Pennsylvania.

I'm going to speak briefly about what is happening locally on Earth Day and also talk a little bit about what we see as a new trend in Pittsburgh, the greening of Pittsburgh.

Start with the local Earth Day Coalition. It's comprised of approximately 50 local organizations. Everything from the traditional environmental groups like Clean Water Action and the Sierra Club to the Association of Pittsburgh Priests to the Carnegie Museum of Natural History. This diversity of representation within the Coalition is very representative of what has been going on with Earth Day and what is going on with the environment here in Pittsburgh.

This has been a refreshing change for those of us who have been working on the environment here in Pittsburgh where usually our challenge is to generate energy for environmental issues. This has been a completely different challenge for us.

Our challenge with Earth Day instead, has been to direct the incredible amount of energy that has been focused on Earth Day. People are literally coming out of the woodwork; more people than we can handle, and I think this is a positive thing and I think it marks change here in Pittsburgh and across the world.

The events that we have planned for Earth Day are designed to involve every segment of the population here in the City of Pittsburgh.

Just a brief list of things that folks should look for and get involved in, throughout the month of April are kindergarten through 12th grade package that was mentioned in the resolution. We'll be going to schools throughout the five county area, including schools here in Pittsburgh, designed to get children involved. It also will include an environmental audit for the kids

to take home and go to their household and see what their house is doing to the environment and what sort of changes need to happen at home.

We're doing outreach to the student groups. We've actually put together a coalition of student groups from area campuses that will be doing environmental audits of their schools, making recommendations to the school about what they can do to help the environment.

We're working on the trash-a-thon, getting children in school and church groups involved in cleaning up part of their community so they can take ownership over their environment.

We're doing outreach to the religious community where the team of stewardship is really strong. The Pope's message in January was on the environment, and the religious community is taking up the environment as well.

We're also going to be doing a symposium for individuals on April 21st at Winchester-Thurston School, for those individuals who want to get involved and spend a morning, half a day, learning about what they can do for the environment.

We'll be wrapping that up in May with a symposium for businesses, for what they can do as far as pollution control technologies, to get our area industry ahead of the regulators and making environment a focus for themselves.

Finally, all that will focus on Earth Day, April 22nd, at Point State Park. The City has been very helpful in helping us put on an event that will allow anywhere from 10 to 30,000 Pittsburghers to come down and get hands-on experience with the different environmental groups and environmental products that are available.

Let me just wrap up by saying thank you

to City Council for what I have seen in my role as an environmental activist. There's a new activism in City Council. This last year, I really feel that City Council has started to take a lead on these issues, and I think that's great.

I wanted to say, also, that I think that as we move into the '90s, the environmental is going to become a much larger issue and that we're going to have to see City Council and the Mayor's Office and all of our elected officials move out a little bit farther on the environment.

I want to invite you all to come out on April 22nd for Earth Day and let you know that I am available if you have any questions or if we can be of any assistance at the Coalition. Again, thank you.

Ms. Downie:

I will be brief. My name is Suzanna Downie and I am the Secretary Treasurer of the Coalition and Co-Chair of Earth Fair.

When the National Earth Day 1990 Coalition began organizing two years ago for Earth Day, one of the most important components of their plan for the next two years, they called the Global Cities Program. What is a Global City? A Global City is one in which both the citizens and the leadership recognize the global impact of every city. What we do here in Pittsburgh impacts on the atmosphere, the water, the land. Some of those are negative impacts, and, of course, positively every city produces culture. In Pittsburgh we have research institutions and health institutions that are actually global.

I think that by Council making this proclamation for Earth Day and by the fact that the City of Pittsburgh is co-sponsoring Earth-Fair, Pittsburgh has at last taken at least the first step, or perhaps its one step of many steps that it

has taken toward becoming a Global City.

We hope, in fact, that all of you will show up on Earth Day because the Earth Fair is not designed just to be one day with a lot of activity. It's designed to launch the decade. And we intend the whole coalition to last throughout the decade and to continue organizing to bring about the kind of change that we know has to happen.

All of you have to change a little bit. The first thing you can do is plant a tree and begin recycling your waste.

But, in any case, please, come to Earth Fair on Earth Day.

Mr. Cohen:

Thank you very much for coming, and please notice that the ribbons on those seedlings are green, not only for the greening of Pittsburgh but also for St. Patrick's Day.

Michelle Madoff:

I'd like to make a comment. I was one of the coordinators and organizers of the first Earth Day and I was a brunette. It's refreshing, 20 years later, to see when I was told, when I started GASP --, "You can't fight City Hall." "You can't take on the big companies." "Nothing is going to happen." -- to be on City Hall. And I would very much like to congratulate all of you and I'll try to be there on April 22nd. Thank you.

The Chair:

Thank you all, very much.

Mr. Cohen presents

No. 507 WHEREAS, the New York Maglev Promotion Council, a consortium of

Japanese firms, has joined with the Commonwealth of Pennsylvania and a consortium of Pittsburgh firms to fund feasibility studies for the building of the first magnetic levitation railway system in North America and to establish a new source of manufacture in Pittsburgh; and

WHEREAS, the decline of heavy industry in the Pittsburgh area has left available many plants and sites for this new industry, and the Pittsburgh labor force is imbued with a strong and admirable work ethic, a work ethic which is shared by the labor force of Japan; and

WHEREAS, the Maglev project will potentially create thousands of jobs in the local economy and will be the impetus for Pittsburgh to lead the country in Maglev technology and production; and

WHEREAS, a demonstrative Maglev rail line to the new Pittsburgh International Airport has been proposed which will allow the City to better share in the Country's and State's billion dollar investment in western Allegheny County; and

WHEREAS, the Council of the City of Pittsburgh has already endorsed the Maglev project.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges members of the Japanese consortium to investigate these investment possibilities in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council welcomes Terashima Jitsuro and the other members of the Japanese consortium to Pittsburgh and extends its ward hand of cooperation in this bold venture.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like to ask Dr. Jack Hill to come up, please, from KDK. We also have representatives here from West Penn Hospital.

Mr. Ferlo presents

No. 508 WHEREAS, Dr. Jack Hill graduated from University of Pittsburgh Medical School in 1957; and

WHEREAS, Dr. Jack Hill is an Oncology doctor, and board certified in Internal Medicine; and

WHEREAS, Dr. Jack Hill has been a physician with West Penn Hospital for the past 27 years; and

WHEREAS, Dr. Jack Hill has treated over 20,000 patients during his years of health service to his community; and

WHEREAS, Dr. Jack Hill has continually contributed to community education on health matters by delivering medical reports on KDKA television Mondays and Fridays as part of the Eyewitness News at Noon, and he answers 50 letters per week from viewers; and

WHEREAS, Dr. Jack Hill and 80 other doctors from West Penn Hospital, representing over 30 medical specialties, will be answering callers' questions on Tuesday, March 20, 1990 from 9:00 a.m. to 7:00 p.m. on KDKA TV Channel 2.

NOW, THEREFORE, BE IT RESOLVED, that Tuesday, March 20, 1990 be proclaimed as Dr. Jack Hill Day in the City of

Pittsburgh, and that the Council of the City of Pittsburgh salutes Dr. Jack Hill and the doctors of West Penn Hospital for their valiant and continuous service to the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, as you know, West Penn Hospital is in my Council District but this service is being provided by KDKA and the physicians of West Penn and will benefit citizens throughout Western Pennsylvania and I encourage all to call in to the KDKA TV number today for assistance on health matters.

As somebody who has spent probably the last 15 years often times battling physicians and physician groups on various pieces of legislation, it's nice to be up here at the podium with a physician who has really exemplified community service and I'm very honored to be presenting this award today to Dr. Hill. To KDKA, a special thank you, and to West Penn Hospital. Dr. Hill, thank you.

Dr. Hill:

Thank you very much, Councilman. I'd like to thank all members of Council for this unexpected and certainly very much appreciated award.

On March 20, 1989, if somebody would have told me that I would have appeared on KDKA for nine months and be receiving an award from City Council on March 20, 1990, I would have laughed.

I think the message there, particularly to

young people, is to keep those doors open and if the ring comes by, grab hold. Always accept that challenge and don't be afraid to jump.

It's been a real honor and a real surprise to me and a real privilege to participate with KDKA and help the public. It's very rewarding to see how this has been received. I get stopped on the street by people to thank me for advice I've given them, people I've never seen or heard of before in my life. It's been a real privilege.

I accept this honor on my behalf and on behalf of West Penn Hospital. But I also accept it on behalf of the hundreds of physicians who, like myself, have given service in the City of Pittsburgh and the County of Allegheny for many, many years. I really accept this on their behalf too. Thank you.

The Chair:

Thank you.

Mr. Milliones:

Would Nancy Lee come forward, please?

Mr. Milliones presents

No. 509 WHEREAS, in 1927 Nancy H. Lee launched her career in Pittsburgh as a Family Case Worker for the Pittsburgh Association for the Improvement of the Poor; and

WHEREAS, Nancy H. Lee served from 1929 to 1958 as a Probation Officer for Allegheny County, serving three years as Supervisor of the Intake Section of the Counseling Division for the Domestic Relations Branch of Allegheny County, and serving 11 years as Chief of the Counseling Complaint and Information Office for the Common Pleas Court - Family Division; and

WHEREAS, Nancy H. Lee served as a member and officer of the National Council of Negro Women, as National Secretary for Social Sororities, and as Chairperson of the Women's Division of the United Negro College Fund; and

WHEREAS, Nancy H. Lee served on the Advisory Boards of the Lemington Home for the Aged, the Department of Public Welfare, the Bradley Home for Children and that of the Speech and Hearing; and

WHEREAS, Nancy H. Lee maintains membership in the National Association for Social Workers, the Pennsylvania Association on Probation, Parole and Correction, and has served on the Standing Committee and the Pennsylvania Association for Retarded Children; and

WHEREAS, Nancy H. Lee, as a member of the Warren Methodist Church, served as President of the Wesleyan Service Guild, as Chairperson for the Annual Fellowship Day, as Chairperson of the Commission on Worship and as an active member of the Commission on Education; and

WHEREAS, Nancy H. Lee received national and local recognition for her outstanding service to children and social work contributions from the National Achievement Clubs, Inc. and Ebony Magazine respectively; the Sojourner Truth Meritorious Award from the Pittsburgh Chapter of the business and Professional Womens Club, Inc.; the 10 Year Service Award from the American Red Cross Pittsburgh-Allegheny County Chapter; the Distinguished Alumna Award from the University of Pittsburgh, and is listed in the Who's Who of American Women; and

WHEREAS, since her retirement, Nancy has served as Coordinator of Fundraising for the African Heritage Classroom Committee

and is credited with the planning and raising of the \$150,000 needed to establish the African Heritage Classroom in the Cathedral of Learning, University of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh offers its sincere congratulations to Nancy H. Lee for her time and commitment in the field of social welfare and for her outstanding cultural contributions to our community and particularly the University of Pittsburgh.

Mr. Milllones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milllones:

I might add that they started out with a goal in terms of the fundraising for the African Heritage Classroom at Pitt with a goal of \$150,000 and they raised \$250,000.

And I might add that Nancy H. Lee is 85 years young.

Ms. Lee:

Thank you very much for this honor. I can hardly believe that it's coming to Nancy Lee who, in 1922, left a small farming community in Ohio, population about 300 before the Lee family left, to enter the University of Pittsburgh.

So often I just hardly know how to accept attention like this, but I've been prepared for it in different ways. It's a humbling experience.

I just want to mention what my minister said to the congregation a few Sundays ago. When I entered the Sanctuary, I noticed that his

sermon was going to be based upon being chosen. And I wondered just how he was going to develop that, and so, of course, I was prepared to listen intently.

He said that each one of us is born with a legacy and that legacy is to be developed to your own potential, not in relation to what someone else can do, but what can you do. In other words, do your best.

Well, that certainly linked right into what I had been taught by my parents who were farming people and worked from early sun up to sun down to prepare a decent living for a family of ten.

As I have moved along, I feel that the community, friends and all, are just saying thank you for doing your best.

I want to just state briefly that in relation to the establishment of the African Heritage Classroom at the University, that it makes 22 rooms that have been established. And we certainly want everyone to visit all of those rooms and to pay particular attention to what each room means.

In relation to the African Heritage Classroom Committee, I have a more than special interest because I want children to know about what has been given to the world by the African Americans. As we appreciate what our contribution has been and we visit the other rooms, then we know that we're moving towards what is understanding and real peace.

Thank you so very much.

The Chair:

Thank you very much.

Mr. Cohen presented

No. 479 Resolution further amending Res. No. 343, eff. April 21, 1989, as amended by Res. No. 614, eff. August 3, 1989, entitled, "Providing for a Contract or Contracts, or use of existing Contracts and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of the Ammon Recreation Center; and providing for the payment of the cost thereof," by amending the title to read 'the Renovation of Various Recreation Centers including, but not limited to Magee and Ammon.'

Also,

No. 480 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Lighting and Electrical Repairs at Various Locations, at a cost not to exceed \$70,000.00, chargeable to and payable from Code Account EC 90-145, "1989 Project Fund".

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Ferlo presented

No. 481 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Community and Social Service Programs in Public Housing Communities" (HA-89-02) at a cost not to exceed \$50,000.00, chargeable to and payable from the 1989 CDBG Program - Housing Authority (HA-89-02) "Community and Social Service Programs in Public Housing Communities".

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until

or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 482 Resolution approving Modification No. 2 to the Crawford-Roberts Proposal, dated March, 1990; approving Modification No. 2 to the Crawford-Roberts Redevelopment Area Plan dated March, 1990, and making certain findings related thereto.

Also,

No. 483 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$3,200,000.00 to the Pennsylvania Department of Community Affairs for the Phase I Rental Housing in the Crawford-Roberts Redevelopment Area.

Also,

No. 484 Resolution further amending Res. No. 1061, eff. January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program" by increasing UR-473 by \$9,805,000.

Also,

No. 485 Resolution providing for the Crawford-Roberts Phase I Rental Housing Cooperation Agreement with the URA of Pgh.; providing for the designation and implementation of at least \$3,200,000.00 in

certain developer private investment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Dept. of Community Affairs.

Also,

No. 486 Resolution authorizing the URA of Pgh. to utilize certain surplus federal and City Capital Grant Funds and interest income from the Lower Hill Urban Renewal Project, the Neighborhood Development Program (NDP) Project, and the Crawford-Roberts Redevelopment Project for activities in connection with the Crawford-Roberts Redevelopment Project.

Also,

No. 487 Resolution authorizing the the Fifth Amendatory Cooperation Agreement with the URA of Pgh. for the Crawford-Roberts Redevelopment Project to implement Modification No. 2 to the proposal for Redevelopment Activities in the Crawford-Roberts Redevelopment Area dated March 1990, and Modification No. 2 to the Redevelopment Area Plan dated March, 1990, and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 488 Resolution providing for the issuance of a warrant in favor of the American Water Works Research Foundation, 6666 West Quincy Avenue, Denver, Colorado 80235, in the amount of \$19,531.44, in payment for an annual subscription to the AWWA Research Foundation, furnished for the benefit of the

City, chargeable to and payable from Code Account 1922 (192203), Misc. Services, Administration Division, Dept. of Water.

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 489 Resolution providing for the issuance of a warrant in the sum of \$2,238.66 to Martin J. Dorfner, Sr. t/a Schwartz Market, c/o Ronald L. Muha, Esq., his attorney, 220 Grant Street, Pgh., PA 15219 in full and final settlement of alleged property damage due to sewer back-up on Arlington Avenue and Manton Way in the City of Pittsburgh on or about April 13, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 490 Resolution providing for the issuance of a \$1,192.00 warrant in favor of Herbert and Mable Meyer in settlement of claim for sewer line repair at 1116 Brandish Street, payable from Code Account No. 46, Judgments.

Also,

No. 491 Resolution providing for the issuance of a \$993.00 warrant in favor of Michael M. gold in settlement of claim for sidewalk damage by City tree roots at 286 North Bellefield Street, payable from Code Account No. 46, Judgments.

Also,

No. 492 Resolution providing for the issuance of a \$989.04 warrant in favor of Phillip Catanzaro in settlement of claim for automobile damage to his 1987 Sedan which was struck and damaged by a Dept. of Public Works vehicle on Seventh Avenue near Grant Street on November

29, 1989, chargeable to and payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 493 Resolution providing for the letting of a Contract or Contracts or use of existing Contracts for the furnishing and delivery of office equipment for the Dept. of Public Safety, at a cost not to exceed \$14,000.00, chargeable to and payable from Code Account 1478.

Which was read and referred to the Committee on General Services.

Also,

No. 494 Resolution providing for an Agreement or Agreements with Pittsburgh Action Against Rape for professional services for the residents of the City of Pittsburgh during 1990, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account (PSTA), Index Code (253450), Bureau of Administration, Department of Public Safety.

Also,

No. 495 Resolution providing for an Agreement or Agreements with the Alcoholic Recovery Center (The A.R.C. House) for professional services for residents of the City of Pittsburgh during 1990, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Dept. of Public Safety.

Also,

No. 496 Resolution providing for an Agreement or Agreements with National Night

Out for services for the residents of the City of Pittsburgh during 1990, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Dept. of Public Safety.

Also,

No. 497 An Ordinance supplementing the Pittsburgh Code, Title Eight-Fire Prevention, Chapter 801-Adoption and Enforcement, Section F-702.0-Educational Occupancies and Section F-704.0-Use of Group 1-2-Incapacitated Care are hereby supplemented by adding Subsection F-702.4.1 and F-704.1.1 requiring evacuation plans for day care facilities and child care facilities.

Also,

No. 498 An Ordinance amending the Pittsburgh Code, Title Ten-Building, Chapter 1007-BOCA National Building Code Adoption, Article 3-Use Group Classification, Sections 304.0-Use Group E, Educational Uses, Subsection 304.1.1.-Day Care Facilities and Section 307.0-Use Group I, Institutional Uses, Subsection 307.3.1-Child Care Facility; and supplementing the Pittsburgh Code, Title Ten-Building, Chapter 1007-BOCA National Building Code Adoption, Article 5-General Building Limitations, Section 501.0-General Area and Height Limitations, by adding Subsection 501.6-Day Care and Child Care Facilities, Article 8-Means of Egress, Section 807.0-Types and Location of Means of Egress, and Section 824.0-Means of Egress Lighting, by adding Subsection 807.5.3-Day Care and Child Care Facilities and Subsection.

Which were severally read and referred to the Committee on Public Safety.

The Chair presented

No. 499 Communication from Ben Hayllar, Director, Dept. of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of January 31, 1990.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 500

Report of the Committee on Finance for March 14, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 315

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article V - Discrimination, Chapter 651 - Findings and Policy, Chapter 653 - Human Relations Commission, Chapter 659, - Unlawful Practices, by prohibiting discrimination on the basis of sexual orientation." ---**(SPONSORED BY MR. COYNE, MR. FERLO, MICHELLE MADOFF, MR. COHEN, & MR. MILLIONES)**

Which was read.

Mr. Regan:

Mr. President, I'd like to amend that motion and I have passed out the amendments to my fellow colleagues.

I'd like the amendment to read, "Council

shall take no final action on this ordinance until it is placed before the qualified voters of the City of Pittsburgh as a referendum question."

Mr. Darkins seconded the motion.

Mr. Regan:

The proponents of the Gay Rights Bill maintain that the majority of Pittsburghers are in favor of this proposal. I challenge the supporters of this bill to offer the residents of our great City the opportunity to cast an aye or nay vote on this issue.

A recent poll conducted on the South Side for Citizens For Pittsburgh revealed that 9 pe9 percent believe that City Council should vote on this issue, 15 percent said that they were undecided, and an overwhelming 76 percent expressed their opinion that the issue should be decided by a referendum.

I continue to maintain the position that this situation is covered by federal and state statutes and other laws which would be redundant. But even though I am unilaterally opposed to this needless legislation, I offer to support the measure if the people of our great City support it. That's how certain I am that the taxpayers would not vote affirmatively to have this bill enacted into law.

This is not a civil rights issue but an issue of sexual preference. Therefore, those who follow this lifestyle have made a choice, and legislation is not necessary.

Thank you very much.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins Mr. Wagner
Mr. Regan (Pres't)

AYES 3 NOES 6

VOTING NO:

Mr. Cohen Michelle Madoff
Mr. Coyne Mr. Millions
Mr. Ferlo Mr. Ricciardi

And there not being a majority of the votes of Council being in the affirmative, the motion was defeated.

Mr. Regan:

I'd now like to make a motion to table.

The Chair:

Is there a second on the motion to table?

I'll second the motion to table.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins Mr. Wagner
Mr. Regan (Pres't)

AYES 3 NOES 6

VOTING NO:

Mr. Cohen Michelle Madoff
Mr. Coyne Mr. Millions
Mr. Ferlo Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Cohen:

On the bill itself. Mr. President and members of Council, this ordinance has been debated an length and I don't intend to prolong the debate. But I do want to take a few moments, however, to explain why I will be voting for it.

I am voting for this bill not because of pressure from any special interest group, not because of anything that occurred during my campaign for this office, but rather because it is the right thing to do.

This bill would amend the Human Relations Act to prohibit discrimination in housing, employment and public accomodations against people on the basis of sexual orientation, just as you cannot now discriminate on the basis of race, color, religion, ancestry, national origin, place of birth, sex, age, handicap, disability, or use of guide dogs. Discrimination, in any form, can't be tolerated, and this ordinance merely allows people who are discriminated against to seek relief from the Human Relations Commission.

To those of you who say that there is no discrimination in Pittsburgh on the basis of sexual orientation, you are wrong. The vast majority of Pittsburghers, I agree, do not discriminate. But there is a significant minority who does.

John Adams once said that facts are stubborn things and try as the opponents of this bill might to ignore it, the fact is that there is discrimination against gays and lesbians.

We only had to witness the four and a half hours of public hearings on March 8th, to see people who courageously came to tell their stories about how they've been victimized.

There was the high school girl who told us how her public school teacher said to the entire class, "All queers should be rounded up and sent to Cuba."

There was the woman who had been physically harassed by her landlord, including having her windows broken.

In fact, one of the speakers at that hearing called to say that he was fired from his job as a manager of a local restaurant last week because he spoke out in favor of this bill.

These people had the courage to speak out in public and to put their jobs on the line. We should at least have the guts to try to help them by passing this bill.

To those who say that these people are already granted protection under the law, I tell you as a lawyer that no such law exists at the federal, state or local level.

The opponents of this bill who have made this argument have yet to point to a single law that protects people on the basis of sexual orientation. Not even the Constitution, the greatest of all public documents, does this because the Supreme Court has never made sexual orientation a suspect classification under Constitutional Law.

There are many other cities, however,

that have legislation that is exactly like this, including Philadelphia, Harrisburg, and York in Pennsylvania.

Other arguments have been made against this bill which have less merit, in my opinion.

The people who have made these other arguments have given, not reasons, but rationalizations. No matter how hard public officials may try, as Abraham Lincoln said, "That which is morally wrong cannot be made politically right."

Finally, to those of you who are afraid of this bill, let me say that there is nothing to be afraid of, that this bill does not threaten your deep-seeded and cherished values. It does not endorse any lifestyle. It is merely an equal rights bill and everyone deserves equal rights.

The moral test of government is to wage war against injustice in any form and in all forms. This bill represents, in my view, one small successful skirmish in that endless war.

Thank you.

Mr. Ferlo:

Mr. Chairman, I wish I could say today that this bill was not needed, but if anything, this bill is long overdue. This bill does nothing that the opponents of the bill would suggest that it does do.

On the issue of the referendum, even though obviously it was voted down and should have been voted down, I don't think we can have an efficient or properly run government by referendum. We would never have revenues in which to operate government if we had to put every tax question on the ballot.

And I think that's true for here. We're not talking about something that people should vote up or down; we're talking about a set of values guaranteeing equal rights for all people.

I think it's very clear from the testimony a year and a half ago, and certainly the testimony in these Chambers a little over a week ago, that the bill is completely warranted and completely needed. There are many instances of discrimination, especially in employment and housing. This bill does not create any special privileges to any particular group. It extends, if anything, and clarifies the basic tenants of the Constitution and the Bill of Rights. In fact, you could probably put the Bill of Rights and the Constitution on the ballot and there would be some people who would vote against it. But that's no reason why we shouldn't cherish and protect the safeguards that we have actually taken for granted, unfortunately, for 200 years plus.

And even with the Bill of Rights and the Constitution, our whole country for the last 200 years is exemplified by historical struggles of people who were seeking the proper freedoms and the proper safeguards to guarantee their liberties. If the Bill of Rights and the Constitution were so clearly delineated and clearly in place as to safeguard those liberties, we wouldn't have had so many decade-long struggles, legal battles, litigation battles, legislative battles for the passage of major civil rights legislation.

I wish this bill actually were not a local bill because, really, this bill needs to be a national bill. Congressman Coyne is in support of a National Congressional Act and, in passing this bill today, I think we all should reiterate the call to the Federal Congress and to the Executive Branch to pass this bill on the federal level. This should be something that is guaranteed within the territorial confines of the United States, and not left up to hodge-podge communities all across the country to enact.

But recognizing that the federal government is not acting, and recognizing, unfortunately, our neanderthal State Legislators are not acting, it means that municipalities like the City of Pittsburgh need to act because we're at the grass roots level and we have to respond accordingly.

I think it's very clear from the testimony that violence and discrimination against both gays and lesbians, as well as individuals who are even perceived to be a sexual minority, that violence is on the increase.

There's economic violence and there's physical violence. There's economic violence against individuals who rent apartments or who want to protect their employment opportunities, and now we even have an increase in this great City of physical violence against gays and lesbians or people who are perceived to be homosexual or lesbian.

And I think, as I indicated in the testimony at the hearing, that it seems as though every other month in the Pittsburgh Press and the daily newspapers and on the TV and the radio, we here about instances where, very clearly when you look behind the situation, it had directly to do with violence against homosexuals and lesbians. And I think it's about time that this City Council speaks out about this issue. I think it's long overdue that this City Council add this clause, Sexual Orientation, to the safeguards permitted under City law so that we have a mechanism in place, a Human Relations Commission.

If the bill is not needed, then let's have the bill in place, my colleagues who are opposed to it. Let's document. Let's have a system in place for documenting whether or not there is indeed discrimination. Many of us, obviously, on Council, the majority, and certainly many who

came to the public hearing feel there's discrimination because we had instance after instance explained to Council and to the media and to the public.

But let's set the system in place. The previous Chairwoman of the Commission, Alma Fox, very articulately clarified to Council that she can't really document the case as far as the Commission because the Commission is not situated legally to even interview individuals who call the Commission with instances of sexual discrimination in employment and housing and in public accommodations.

So, even if I were an opponent of the bill, I'd vote for it just to begin to see whether or not that documentation can be researched and evaluated and stipulated in the coming year.

So, once again, I ask my colleagues, I think this bill should be a unanimous vote and I would ask my colleagues to please reconsider. This bill is long overdue and it's about time we stood up to violence, it's about time we stood up for equal rights, and I think it's important that we support this bill.

Mr. Darkins:

Mr. President, my staff has received calls both for and against this legislation. I have reviewed numerous letters, newspaper articles both for and against this legislation; yet, there are questions that have not been answered.

First of all, as my colleague, Mr. Ferlo, has just stated, the Human Relation Commission, who will have the responsibilities to interpret this ordinance, has not given to me the guidelines or criteria under which they will enforce this ordinance.

Secondly, over 100 people testified at the public hearing before this Council on March

8th, and there was only one Black individual addressing the gay rights legislation. Of course, that individual, as my colleague has said, was Mrs. Alma Fox and she was addressing this legislation representing the Human Relations Commission.

I now have concerns that exist within the gay-lesbian community. It is obvious that there is discrimination among them. Therefore, I am not convinced that the information or the lack of information that I have received enables me to make a just decision.

I continue to be the people's choice. I came to City Council as the people's choice, and I'm going to remain the people's choice, and I will have to abstain from voting for this bill.

Michelle Madoff:

Mr. President and Members of Council, I do not wish to have what I say perceived as being frivolous because it is not frivolous. I am one of the members of this Council who has lived through two bills that were presented to this Council on the issue of fairness and justice to include sexual orientation into the Human Relations Bill.

But if one were to read the bill, it goes beyond equal rights. There is an error that is an oversight that should have been put into the Human Relations Bill some time before, and I would like to read the bill as it should read:

"The population of the City consists of people of every race, color, religion, ancestry, national origin, place of birth and sex, and sexual orientation, many of whom are discriminated against."

What is missing is fat people. Do you know that this Council voted -- you may not remember this, perhaps the media remembers or

the Law Department or maybe Mike Perry recalls -- we had a bill called the fat bill. People were fired from this City because they were fat and they couldn't hold a job and they wouldn't be hired in this City. And this Council, perhaps not the same people, voted for justice, voted for what was correct. And we saw that people who were not in active duty, people in sedentary positions -- I remember one woman who came to this Council who was heavy, and we voted to let her keep her job and supported that.

So, this is not an issue of Black, White, Jewish, Catholic, Homosexual. It's an issue of justice. And if we can vote on this Council to keep people working in the City because they're fat, we certainly can keep people from being discriminated against because they're homosexuals.

I rest my case.

Mr. Regan:

I appreciate my distinguished colleague saying that I, too, could have a job with the City if I wasn't an elected official.

Michelle Madoff:

I didn't think you were too fat.

Mr. Regan:

I would like to say this about my colleague that says that we have no guts for not voting for this bill. I say, it takes a lot more guts to be strong than to be weak. I say, it takes a lot more guts to stand up for what's right for all the citizens, not just a select group. It takes a hell of a lot more guts to stand by the rules that the State Legislature mandated, and the Commonwealth of Pennsylvania and the Federal Government. I don't know that this body should supersede the laws of the government and the State of Penn-

sylvania.

I have been a District Justice for 20 years. I have never had one case of discrimination against gays or lesbians and I'm sure I would have if there were that many people that were out there beating them up and so forth. We heard four hours of testimony with no names and addresses, no badge numbers of any police officers, no numbers of any judges.

I say this, that that's a lifestyle. Blacks, Whites, Indians and Orientals are here because of what God put them here as. I say that the gays and the lesbians pick their lifestyle. And I say that it should be put on a referendum.

A vote, 76 percent of South Side, said that it should be put on a referendum. 15 percent were undecided, and I say that if we get half of them that's over 80 percent in that one area that say that it should be put on a referendum. You don't have to be a brain surgeon to figure that out. Thank you very much.

Mr. Coyne:

Mr. Chairman, I didn't speak the first time around, but just to challenge a point that my colleague from North Side has made, even if one gives the point that homosexuality is not something you're born with, that it's a choice, then one could logically follow that argument to the extent that religious discrimination should be allowed because we all may be born into a family that has a certain religion, but we choose which religion we're going to practice as we become adults. So, if you're going to use the argument that discrimination on choice should be allowed in this case, then I think that what could be scary down the road is that someone could argue that discrimination based on religion is also appropriate because that's a choice. And I feel that that's an improper attitude to take.



The Chair:

I would just like to state that I know I am not changing anyone's vote on this issue and I'm sure there is no vote to be changed.

I agree with Councilman Cohen in that the vast majority of the people in this City do not discriminate.

Councilwoman Madoff indicated a specific example of a fat person.

I still have not heard of any specific example within the City of Pittsburgh in employment or in housing.

Yes, I have heard people say that they have been discriminated against, and I believe that there are instances of that. But if people are going to state publicly that they have been discriminated against, then I think they should state where the discrimination came from. As of this date, no company, no landlord, no public area has been identified.

I rest my case.

Mr. Cohen:

Call the question, Mr. President.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Michelle Madoff
Mr. Milliones
Mr. Ricciardi

AYES 6

NOES 2

(MR. REGAN AND MR. WAGNER VOTING NO)

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 396

A Resolution entitled, "Resolution authorizing the Mayor and the Chief Administrative Officer of the City of Pittsburgh to enter into an Agreement or Agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various contractors with specialized skills in connection with the City's Solid Waste Management Program."

Which was read.

Michelle Madoff:

On the Solid Waste Management Program, Bill No. 396, I objected to spending \$200,000 for advice on what to do with 7.6 percent of the wastery of the hundreds of thousands of tons of garbage each year. I'm loathed to just allow additional spending and so I'm going to abstain on that because I wasn't here and I don't know enough about it and I don't want to vote in a vacuum.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 413

A Resolution entitled, "Resolution providing for the issuance of a \$2,328.18 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 413, this must be the windiest city in America. Another \$2,328.00 because of high winds putting paint on rented vehicles. How can we let this go on?

I would like to suggest that we put that back into Committee until we have from the appropriate department a list of how many dollars were paid to American Rent A Ride, what the

total figure is. What is presented to us is piece-meal. We get a little bill for \$2,328 and say, "What can you do? It just happens." Then you get another bill for \$1500 then another for \$3000 and we don't put it all together.

I think it's important that we look at this as an entire picture and say, how much money has been paid to American Rent A Ride and to other rental facilities for vehicles that have been brutalized and the liability on the taxpayers before we vote on this bill.

So, I'd like to make a motion to put this back until we get a total figure.

The Chair:

If I can interject, I think we can request that information --

Michelle Madoff:

Today is the final vote. I think we have to send a message that we can't allow this to go on indefinitely. This is getting to be obscene.

The Chair:

We can request that information without holding the bill.

Michelle Madoff:

I'm going to vote no on it.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 414

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of WATE Division, The Hearst Corporation, in the amount of Two Thousand Four Hundred Seventy Eight Dollars (\$2,478.00) in payment for radio advertisements furnished for the benefit of the City in connection with the Pittsburgh Partnership Employment Program, chargeable to and payable from the JTPA-1 Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 415

A Resolution entitled, "Resolution authorizing the Director of the Department of Finance to establish a fee for a Memorandum of Payment for City and School Real Estate taxes and/or Sewage Charges that have been paid or are due the City of Pittsburgh for property located in the City."

Which was read.

Also,

Bill No. 416

A Resolution entitled, "Resolution authorizing the transfer of one hundred and forty-six thousand eight hundred dollars (\$146,800.00) from Code Account 1443, Index Code (144303), Salaries and Wages, Bureau of Police to Code Account 1457, Index Code (145706), Uniform Allowance, Bureau of Police, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 418

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of February, 1990."

--(SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 420

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI (Fifth Avenue Place, Suite 2660, Pittsburgh, PA 15222), in the amount of \$16,784.00 for the purchase of two NBI PC Units and a printer in the City Clerk's Office, without previous

authority of law, chargeable to and payable from Code Account 1006, Equipment (Index Code 100602)." ---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 358

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred and Seventy-Five Thousand (\$175,000.00) Dollars from Code Account 1154-1, Index Code 115410, Rental of Motorized Equipment, Dept. of General Services, to Code Account 59, Index code 005900, Carnegie Library of Pittsburgh."

Which was read.

Mr. Cohen:

Mr. President, on Bill No. 358, I spoke at some length last Wednesday about it and I just want to say that I'll be voting no on that as a protest vote.

Carnegie Library, of course, is an extremely worth investment but every other local investment in the library system had been shared at approximately a 50/50 split between City and County. This bill is for \$175,000 and \$175,000 is a lot of money for City taxpayers to pay. And in questioning the Administration, both during the meeting and before and after last Wednesday's meeting, we discovered that the Administration never even attempted to negotiate a contribution from the County. So, given that County residents use the library system in large numbers, the County should be paying for some of this. So, I'm going to vote no on that bill.

Michelle Madoff:

I shall the concerns of my colleague, Mr. Cohen. The day is long past due that the County doesn't pay it's fair share of the expenses.

Unfortunately, I cannot see myself voting no on this bill and I'm glad that you're going to have sort of a protest vote. I want to be sure that it goes through because there's so many children and so many people that need the services of this facility and the motorized equipment that I don't want to penalize the wrong people.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 501

Report of the Committee on Public Works for March 14, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 397

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for public sidewalk construction at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Bill No. 398

A Resolution entitled, "Resolution vacating a

portion of Lipton Way from Dartmore Street Eastwardly 79.93' to a point by 20' in the 29th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 399

A Resolution entitled, "Resolution granting The Gustine Company, of 2240 One Mellon Bank Center their successors and assigns the privilege and license to construct, maintain and use, at their own cost and expense, a handicap ramp on a portion of the sidewalk of 21st Street in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 400

A Resolution entitled, "Resolution granting Howard T. Gilfillan of 68 S. 11th St. his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a step and porch on a portion of the sidewalk of 11th St. in the 17th Ward of the City of Pittsburgh, 3rd District."

Which was read.

Also,

Bill No. 401

A Resolution entitled, "Resolution granting The Greenfield Organization, Inc., their successors and assigns, the privilege and license to

construct, maintain and use at their own cost and expense a sign and planter on a portion of the traffic island at Greenfield Avenue and Alger Street in the 15th Ward, 5th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 402

A Resolution entitled, "Resolution Granting Wendy's Southeast Company, their successors and assigns the privilege and license to construct, maintain and use, at their own cost and expense, two thornless honey-locust trees on a portion of the sidewalk at 5438 Baum Blvd. in the 8th Ward, 8th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 403

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 404

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal revisions in Squirrel

Hill and other work incidental thereto, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 405

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 406

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Street Lighting Transfers at various locations throughout the City and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 407

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for Concrete Slab Replacement at various locations throughout the City and providing for the payment of of the cost thereof."

Which was read.

Also,

Bill No. 408

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the renovations or construction of walls and related facilities of City property at various locations throughout the City."

Which was read.

Also,

Bill No. 409

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the novation or repair of concrete streets at various locations throughout the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 502

Report of the Committee on Planning, Housing and Development for March 14, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 410

A Resolution entitled, "Resolution authorizing the Fourth Amendatory Cooperation Agreement with the URA of Pittsburgh for the Crawford-Roberts Redevelopment Project pursuant to which the City of Pittsburgh will convey the City's right, title and interest in the real property."

Which was read.

Also,

Bill No. 411

A Resolution entitled, "Resolution authorizing the URA of Pittsburgh to convey and the City of Pittsburgh to acquire the property designated as Block 8L Lots 80, 86 and 175 in the 22nd and 23rd Wards of the City of Pittsburgh in Redevelopment Area No. 39 (PARK)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 503

Report of the Committee on General Services for March 14, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 417

A Resolution entitled, "Resolution amending Res. No. 41, approved Feb. 8, 1990, effective Feb. 15, 1990, entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase a computerized mapping and geographic information system (PAGIS) for the Bureau of Fire" and increasing the amount from \$35,500.00 to \$45,000.00 and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 421

A Resolution entitled, "Resolution providing for a Lease or Leases for the use of certain property for City Council District Office facilities, in the aggregate amount not to exceed \$45,000.00 (\$5,000.00 for each Council District), chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc., City Council (Index Code 100115)." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

I'd like a motion to hold Bill No. 421.

Mr. Ricciardi:

So moved.

Mr. Regan seconded the motion.

Mr. Ferlo:

Discussion on the motion. Mr. Chairman, the tabling is completely out of order. We've discussed this bill to death.

I have two amendments to offer to the bill which I think will resolve the problem. I've discussed this bill with every Councilmember and six majority members would like to vote in support of it with the amendments.

I'm opposed to the tabling because we can now vote on it, be done with it and get it over with and vote it up or down.

So, I strongly urge the rejection of the tabling so we can approve the amendments and vote them up or down. Please vote no on the tabling.

The Chair:

Quite frankly, in regards to the tabling motion, since I asked for the bill to be tabled, the reason why I am asking is that there is disagreement within this body as to what the final state of this bill should be.

I have asked each and every Councilmember their opinion of the bill. I have tried to get a consensus unanimous support of this legislation. I have been unable to do that. Up until this time, even today, there are two proposed amendments in front of us to be offered.

There was tremendous disagreement on this legislation last Wednesday. I don't think it's in the best interest of this Council for that to continue today.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ricciardi

Mr. Wagner
(Pres't)

AYES 2

NOES 7

VOTING NO:

Mr. Cohen

Michelle Madoff

Mr. Coyne

Mr. Milliones

Mr. Darkins

Mr. Regan

Mr. Ferlo

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Ferlo:

Mr. Chairman, with due respect, I'd like to offer two amendments. I'd like to suggest that we offer them and vote on them separately, or whatever the pleasure of Council is.

The first one is the set of provisions that was originally drafted by my colleague, Mr. Ricciardi, with the modification on the use of rental space from a public and/or publicly supported building. Otherwise, I believe they are intact. They basically would spell out a minimal set of prerequisites regarding the contracting for any property regarding local access on the phone and utilities, limited access of a one-line local

telephone, the issue of the availability of public transportation 600 feet near the facility, the street level and/or handicapped access, and the issue of, obviously with I don't think any of us would certainly do, the renting of office property from any interest that we would have in that property.

So, I would like to move as written, as is on the table for you, my proposed amendment to Bill 421.

Michelle Madoff seconded the motion.

Mr. Coyne:

Mr. Chairman, I would like to take a second to congratulate Mr. Ricciardi. This was his original amendment and I think that even though I disagree with the concept, that this does put it more in order and it gives more accountability to the taxpayers.

Mr. Ricciardi:

Clarification. Mr. Chairman, is the amendment concerning Section 2, Page 2, part of this discussion?

The Chair:

It will be.

Mr. Ricciardi:

I'd like to thank Mr. Ferlo for resubmitting my amendments. Unfortunately, the first amendment which I consider very important is the publicly owned or publicly subsidized buildings.

I'd also like to point out to my colleagues that inside of my amendments there was a clause stating that if the criteria or the guidelines could not be met, that that colleague could come back

to Council with a resolution and I'm sure Council would pass that resolution. It would set up standards.

Again, I thank Mr. Ferlo for resubmitting my amendments. Unfortunately, I'm very disappointed in the first amendment which I considered very important in terms of, number one, possibly saving taxpayers money, and number two, reinvesting in buildings that have already received taxpayers money in order to help them succeed.

Michelle Madoff:

Mr. President, I would like to point out to my colleagues that when GASP was formed 20 years ago and the first Earth Day, we were in Eastminster Presbyterian Church. We paid nothing. And I believe that Councilmembers who wish to go into their districts can avail themselves of that issue.

But I really, in principle, support, in case there is no availability in the church, I support the concept and I think it gets to the issue of ethics. And since our Chairman, Mr. Ricciardi, is working on the Ethics, I think credit should go to him and not necessarily Mr. Ferlo, but thank you for introducing it.

Mr. Cohen:

On these amendments --

The Chair:

One amendment. There's one amendment in front of Council.

Mr. Cohen:

I'm using the plural only because this one amendment includes several provisions and I think that these provisions are an appropriate

way of making sure that district offices are responsible in that it prohibits anything but local phone calls and makes sure that the district offices aren't any greater than 600 feet from a bus stop. It says that where applicable they should be in Community Development Block Grant areas, that they're handicapped accessible, and that these offices are not rented to or from family members.

These are Councilman Ricciardi's amendments and I think that they are good ones and that a compromise was reached on this. Politics is, after all, the art of compromise and I think that this is a compromise that will protect the public.

So, I will be voting for these amendments -- this amendment that includes several provisions.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Prest)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ferlo:

Mr. Chairman, the second amendment. "Section 2. Councilmembers who choose not to lease district office facilities may encumber their allocated amount for the use for community projects in their respective Council districts, outside consultants or Council administrative staff, as amended."

Mr. Milliones seconded the motion.

Michelle Madoff:

Discussion. I apologize for not being here to discuss this bill but it was beyond my ability to be here.

First of all, I want to thank the President of Council. When this bill was pointed out, originally drafted, and I thought it was unfair, I went to see the President of Council and pointed out to him that everybody should be treated equally and he responded by saying, "You're right." and put in this newly drafted amendment which treats all of us equally. The original bill was going to provide \$5,000 for those people who wanted to open an office in their districts.

My own personal feeling is that everybody is treated equally, every representative is treated equally. Whatever our stipend is, that's our stipend. And what you do with your money and how you service your community is up to you.

The most important thing is that we are not just here to serve our community; we're here to serve the welfare and the good of the whole entire community.

The reason I'm supporting this bill is really very simple. I think there's a misconception out in the public and in the media that we're out

to raid the budget, that we're just interested in spending money foolishly.

I'd like to point out a couple little items that people may not be aware of. Before you introduce legislation and before it actually is enacted, it sometimes takes years. It took two years for the garage bill to go through. It took over three years to get my legislation, which I initiated, to charge non-City residents for paramedic service and third-party payees, which generates over \$2 million to the City. There is other legislation that I introduced to be able to purchase mint condition, used equipment, which has saved the City hundreds of thousands of dollars already.

I think it's cost effective for Councilmembers to have adequate staff so we can do our jobs. And this little increase of \$5,000 is going to permit me to perhaps give one of my staff who gets \$10,000 a year, another one who have been with me for 7 years who only gets \$16,000 a year, to pay them a decent, really base-living wage.

That is why I'm supporting it. I'm not doing anything underhanded. I'm not saying one thing now and having said something else earlier. At the end of last year as one of the few remaining people, I tried to increase the stipend for offices and I believe that is how we can best serve our community. We're not talking about a great deal of money, but I believe that by being able to help, by being able to pay my staff decent salaries, I will be able to get them to go out to evening meetings, as they do now, and not have a guilty feeling about how am I going to pay these people.

So, I really support and thank you, Mr. President, for your amendment.

Mr. Ricciardi:

Mr. President, first I'd like to say I have a great deal of respect for my colleague, Michelle Madoff, and I know she would never do anything underhanded on this Council. She really has my respect.

I would like to say, however, that I strongly oppose this amendment. The reason is, when I ran for City Council, I knew what my salary was going to be and I knew the amount of money I would have for my allocation for my staff. And they accepted their pay that first day.

I think the previous Council voted to increase property taxes. And what we're doing now is saying, hey, give us an extra \$5,000 that we can give to our staff and I think it's just sending a bad message out to the public, especially the people that are on fixed incomes and did not benefit from the tax swap.

I oppose this bill. I just think it's also setting a precedent for next year because receiving the extra \$5,000 to our staff is increasing it to \$75,000 and where are we going to start next year. It's just not a little bit of money; it's starting to add up. And most important is the message that we're going to be sending to our taxpayers, especially the elderly on fixed incomes. So, I oppose this amendment.

Mr. Regan:

I'd like to say that Mr. Ricciardi got hundreds of thousands of dollars for an ice skating rink in South Side and I've been urging the Administration and my colleagues to get a brand new bridge put on the North Side that's long overdue. I'm sure \$5,000 is a very small amount of money to take care of all the people in my community and I'm going to take care of them because there's a lot of poor people that can't get Downtown. There's a lot more poor people that are crippled that you have to go to their homes. There's a lot of people that get disoriented when

they come Downtown or that can't afford to park Downtown. That's why I want a district office, to take care of my constituents on the North Side.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8

NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Cohen:

On the bill itself. I just think that on this issue a district office will allow me to serve my constituents better so I can meet with them and discuss their problems in their neighborhoods.

I think that the focus of By District Council should be the neighborhoods and should not be Downtown. That's why I'm voting for this, because many people in my district, particularly the elderly, have a difficult time getting Downtown and, therefore, I will be able to serve

my constituents better.

The Chair:

I would like to comment on the bill.

When I ran for election, I did not indicate that I was opening up a district office. However, the majority of my colleagues, all of you, came to me with this legislation and you asked me to submit it. And I did.

In doing so, I have tried to work out an agreement where everyone can vote on this bill in the best interest of their constituents. If it's not opening up a district office, it's more staff to serve your district or it's funding a particular project in your district.

What I just saw in the way of a vote, it was a unanimous vote on the first amendment and it was 8 in favor and 1 against on the second amendment. We are now ready to vote on the bill, as amended. You can't have it both ways on this bill.

I'm prepared to vote for the bill, but I would like each and every Councilmember to vote in favor of this bill. The reason why I'm asking that is because Councilmembers have come to me one day and said they're voting for it, and the next day they say they're not voting for it. You can't have your cake and eat it too. You can't come back with a piece of legislation and say you're going to fund your district when, in fact, you're not supporting this legislation.

The Councilmembers know who I'm referring to. I'm only saying that this piece of legislation can be a very good piece of legislation. It cannot be a good piece of legislation if there are Councilmembers that are going to vote for amendments, not vote for the bill, and come back and want to utilize the \$5,000.

Mr. Coyne:

Mr. Wagner, to clarify my position, I voted aye on both amendments as a courtesy to my colleagues. I personally disagree with the \$5,000 and I won't appropriate the \$5,000 for my district. However, if my colleagues wish to do so, I feel that that's their prerogative and I wouldn't try to fight them on the basis of the amendments. However, when the bill comes up as a whole, I will be voting against it.

The Chair:

In response to that, Mr. Coyne, you are one of the people who said you were going to support it with the amendments. And I will say to you, quite frankly, standing here, don't come back with a piece of legislation --

Mr. Coyne:

Mr. Chairman, I just told you I wouldn't.

The Chair:

Okay. Fine. Don't. This is a piece of legislation that I have attempted to get this Council to support in the best interest of its constituents.

Mr. Ricciardi:

Mr. Chairman, very short comments. Number one, I said that I would support the bill if my package was accepted as a whole. It has not been accepted as a whole; we're missing amendment number one, which is very important to me. I still voted yes on the other amendments, and I thank Mr. Ferlo for resubmitting them.

Number two, I'm just against the second amendment when it comes to increasing our salaries.

So, I will be voting no on the bill. Thank you for your remarks.

Michelle Madoff:

One quick comment. I was not going to say anymore; this has been done to death.

Mr. Ricciardi, what difference does it make whether you spend the money for rent or whether you spend it on staff? You're still serving your community. And I believe you can get your rent free.

Mr. Regan:

I would like to say this to my distinguished colleague who doesn't want his \$5,000; we'll be glad to take it over on the North Side because we've been shortchanged for a lot of years, so we'll be glad to take your \$5,000.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Wagner
(Pres't)

AYES 7

NOES 2

(MR. COYNE AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 504

Report of the Committee on Parks and Recreation for March 14, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 448

A Resolution entitled, "Resolution providing for a Contract or Contracts with the Bloomfield-Garfield Corporation, for the relocation and repair of the Veteran's Honor Roll Monument located on Penn Avenue in the 8th Ward of the City of Pittsburgh, and providing for the payment of the cost thereof."
---(SPONSORED BY MR. FERLO) (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

I'd like to make a motion to recommit this bill on the practical issue that there is not money in Code Account 10, so passing this would not be an appropriate gesture. I think we need to discuss it more with the full Council.

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

Mr. Cohen presented

Bill No. 505

Report of the Committee on Engineering and Construction for March 14, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 387

A Resolution entitled, "Resolution amending Res. No. 1043, eff. Dec. 29, 1989, entitled, 'Providing for a contract or contracts or use of existing contracts, for concrete step construction or reconstruction at various locations, including but not limited to Sterling St., Judicial S., Dalfauf St., Hancock St., and St. Leo St.; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$200,000.00 from \$200,000.00 to

\$400,000.00."

Which was read.

Also,

Bill No. 388

A Resolution entitled, "Resolution amending Res. No. 991, eff. Dec. 27, 1989, entitled, "Providing for a contract or contracts, or use of existing contracts for Construction/Reconstruction of Various Retaining Structures, including but not limited to Baker Street, Holt Street, Bartlett Road, Andover Terrace, Dakota Street and Pusey Street; and providing for the costs thereof," by increasing the total project allocation by \$130,000.00 from \$500,000.00 to \$630,000.00."

Which was read.

Also,

Bill No. 389

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts for Rehabilitation of Various Roofs; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 390

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Play Areas, including but not limited to the 52nd St. Court, the 57th St. Court, and Heldman

Playground; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 391

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Commission of an Artist or the Purchase of Art Work to be applied as related to Capital Projects; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 392

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or the use of existing Agreements, with a Consultant or Consultants, for Design Services in connection with the Reconstruction and Stabilization of Various Retaining Walls, including but not limited to Andover Terrace, Dakota Street, Pusey Street, Rubric Street and Sprain Street; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 393

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Renovations of Various Public Buildings; and providing for the

payments of the costs thereof."

Which was read.

Also,

Bill No. 394

A Resolution entitled, "Resolution providing for the release from the Corliss Roadways Corporation, for waterline improvements, in lieu of condemnation, as easement on, over, across, and through certain property due east of the Chartiers Avenue Bridge in the 20th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have a very brief item to share with Council. I inadvertently discovered that under the City's Blue Cross/Blue Shield Major Medical Plan, that firefighter applicants are required to undergo pulmonary function tests before they're hired, as are perhaps paramedics and police. That's the only time they have any check-up on their pulmonary functions unless they are in a fire and it is used as a diagnostic tool then they can apply to major medical, if their bills exceed the \$250 waiver. The bill is something like \$460 and our firefighters do not have pulmonary function test procedures done routinely so that we could head off, through early discovery of any problem, the concept of having greater workers' comp liability.

I would like to have a letter written to the appropriate agency, and I presume that would be Glenn Cannon, Ben Hayllar, the Administration, the Mayor, I think Mr. Turner should get a copy, and the Executive Secretary of the City. And I would like to have a bill before us on Council setting up a procedure whereby our firefighters, on an ongoing basis, particularly firefighters or anybody else they think it would be applicable to, maybe people doing heavy work, we'll have pulmonary function tests so that we can keep the tremendous bill that we have on workers' comp somewhat reduced.

I don't know if anybody else knew that; I just found out by accident.

The Chair:

Thank you.

Mr. Ricciardi:

Mr. Chairman, if I just may correct a statement that was made earlier, the South Side Ice Skating Rink is not receiving one dime from the City of Pittsburgh. All the monies were put

together as putting up front by the developer and a loan from the URA. Thank you very much.

Mr. Regan:

Mr. President, if I was in error with that statement, I just would like to apologize. But I would like to say that Council did vote on that ice skating rink.

Mr. Ferlo:

Mr. President, a couple weeks ago I believe you put together a workshop in the Conference Room to educate Council on the issue of the Airport expansion and we had Mr. Armstrong in who chairs the Commission and Stephen George who is the Executive Director and the Administrator of the Airport Expansion Activity. I learned a lot from the session. And one of the things that we talked about at that meeting was that of the 15 or 20 individuals who make up the County-wide Board of Directors for this Airport Commission, the City, which is really the main cog in the whole wheel, I remind people that the Airport says, "Welcome to Pittsburgh", it doesn't say, "Welcome to Allegheny County", that we are greatly underrepresented on the Commission.

I'd like to make a motion, Mr. Chairman, since you're very active on this, that we send a communication to the County Board of Commissioners asking that yourself, as President of Council, be appointed to the Commission and that Mr. Mistick, who obviously is the Develop-

ment Executive Secretary for the Mayor, be represented on the Commission at the appropriate levels.

Michelle Madoff:

Mr. President, wasn't that taken care of?

Mr. Ferlo:

If it was, I wasn't aware of it. But I make that in the form of a motion.

Mr. Coyne seconded the motion.

Michelle Madoff:

We did that. We did it at the meeting.

The Chair:

They did make a commitment verbally that they would pursue that at the meeting.

Mr. Ferlo:

I think we should send it formally to whoever heads up the Commission and the County Board of Commissioners.

WHICH MOTION PREVAILED.

And on the motion of Mr. Millones

Council adjourned.

the 1990s, the number of people in the UK who are aged 65 and over has increased by 1.5 million (1990–1999) and is projected to increase by a further 1.5 million by 2020 (Office of National Statistics 2000).

There is a growing awareness of the need to develop strategies to meet the needs of the ageing population. The Department of Health (2000) has identified the need to develop a new paradigm of care for the ageing population, one that is based on the concept of 'active ageing'. This paradigm is based on the idea that older people should be able to live independently, participate in social and cultural activities, and maintain a high level of physical and mental health. The Department of Health (2000) has identified a number of key areas for action, including: (1) promoting healthy ageing; (2) supporting older people to live independently; (3) providing care and support for older people; and (4) promoting social and cultural participation.

The Department of Health (2000) has also identified a number of key challenges for the future, including: (1) the need to develop a new paradigm of care for the ageing population; (2) the need to develop a new paradigm of care for the ageing population; (3) the need to develop a new paradigm of care for the ageing population; and (4) the need to develop a new paradigm of care for the ageing population.

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MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, March 27, 1990

No. 13

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, March 27, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

I'd like to call up Eric Schaeffer, Bud Harris and Mark Barasch, please. Mr. Schaeffer and Mr. Harris are here representing International Cycling Productions, Inc. and Mark Barasch is program Director from WPXI.

Mr. Cohen presents

No. 551 WHEREAS, International Cycling Productions - Pittsburgh, Inc. and Le Grand Prix Cycliste Des Ameriques are interested in holding a major world class bicycling event in the City of Pittsburgh; and

WHEREAS, a major professional cycling event could attract the world's greatest cyclists to the City of Pittsburgh; and

WHEREAS, such a world class event would provide a great outdoor celebration in the neighborhoods of Pittsburgh while also promoting health awareness in our City; and

WHEREAS, WPXI, the City's local NBC affiliate, has agreed to televise this world class event, which could provide positive publicity for the City of Pittsburgh both in North America and across Europe, and the owners of Station Square have agreed to serve as the official race headquarters for the cyclists; and

WHEREAS, a major professional cycling event would create a major economic impact on the City of Pittsburgh, potentially bringing millions of dollars to the City in busi-

ness investment and tourism; and

WHEREAS, a world class cycling event would help to change the image of the City of Pittsburgh from an old industrial city to an economically dynamic city which has a strong sense of community and high quality of living.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the creation of a major world class cycling event in Pittsburgh and urges the Administration to make every reasonable effort to establish such an event in Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I think the best benefit of this event would be an economic benefit, that this would be publicized not only nationally but in Europe as well, hopefully televised in Europe, and that that could stimulate business investment in the City of Pittsburgh which, of course, would provide jobs and increase revenue for our tax base.

I'd like to turn this over first to Eric Schaeffer.

Mr. Schaeffer:

I would like to thank Councilman Cohen and City Council for this resolution.

Pittsburgh has another secret. This is a good town for bicycling. We have all the elements here. We have parks, we have hills, we have great people, and we have a growing interest in a great sport.

Bud Harris and I didn't set out to become bicycling promoters. Every year we would go to Philadelphia for the US Pro Championship and there we would join with 250,000 spectators and watch a great event.

At the same time, we realized that anything that Philadelphia can and usually does do better.

We asked ourselves, why not stage a major race, even an International World Cup Race right here in Pittsburgh. Imagine 100 top racers charging up and across Mount Washington.

We've had an enthusiastic response from the folks we've talked to at WPXI and a number of potential sponsors. The image that we are creating here is one of a vibrant urban center. This is an expensive undertaking and we are out there trying to find sponsors to cover as much as we can. In keeping with that, we have a goal of trying to cover the City's cost as well, as much as we can.

I would like to thank City Council for this resolution expressing support because this is the sort of support we need to make this a great annual event here for the City of Pittsburgh. Thank you.

Mr. Barasch:

Thank you very much.

On November 22nd of last year we had a FAX received at the station from the ICP Company, International Cycling Productions, and it explained about this idea of having a bicycle race in Pittsburgh and the benefits and what it was going to be like and that they've done it in Philadelphia and had a lot of experience, and it was going to come off really well.

Well, it took me about a minute and 35 seconds to make the decision on their offer that yes, we would be interested. Actually, it took me about a minute to make the decision, 35 seconds to read the FAX. It was that easy. It's a no brainer, folks, that this thing was something that Pittsburgh could do very well, and was needed.

As Council President and Regatta Board Chairman, Jack Wagner, knows, we have been the exclusive television station for the Three Rivers Regatta for four years now and the thrill of being part of a world class event like that has really peaked our enthusiasm and interest in taking on another project of this magnitude.

After all, how often do you have an opportunity and a chance to not only be part of a 15 second story in a newscast or maybe a couple of inches on page 18 of the newspaper. This is not what this is about. We're talking about being the lead story when this comes to town. This is the event that will be the news when it comes to town. And you don't have an opportunity often to create that kind of event and that kind of news story.

And if you doubt that, all I ask you to do, please, is to take a look at the coverage the Regatta has gotten over the years and take a look at the coverage the Marathon has gotten and some of the parades get in town. It's usually front page, it's usually lead story. That's the kind of coverage we expect for this kind of an event. An international bike race in Pittsburgh will be the lead story when it gets here.

Now, it's going to be the role of WPXI and the job not only to cover this story but, as exclusive broadcaster of this event, we will make this story, we will help shape it and make it a big one. Many of you know that you need not watch more than 20 minutes during the month of August on WPXI to hear something about the Three

Rivers Regatta. That's all it takes. You watch 20 minutes and a spot comes up talking about the Three Rivers Regatta, where it is, what it is and like that. We made it our goal to ensure that every person who owns a television set in our viewing area knows about the Regatta, and we will have a similar goal when it comes to this very important international, world-class bike race.

It is no accident that 500,000 people line the banks of our rivers to watch the Regatta every year, and it will be no accident when people are going outside of their doors and spilling onto the sidewalks of our City when this race comes to town to marvel at the athletic prowess of these bicycle racers and to become involved. The economic benefits, just look at the hotel sold-out ratio when the Regatta is in town. You can't get a room. The restaurants are packed.

It's a similar situation here. We're talking hundreds and thousands of people watching these event.

You've already met some of the dedicated people that are behind this event, and we thank you for your consideration of the resolution and hope that we can count on your support as we strive forward to make this just another major event in Pittsburgh that not only the United States will know about, but the whole world will know about.

Thank you very much.

The Chair:

Thank you all very much. It's a great idea.

Michelle Madoff:

Mr. Chairman, Bud Harris is practically family. We've known each other for most of our

lives. I've known about this and have been very, very supportive. I'm delighted that my colleague introduced this resolution.

And while we talk about all the wonderful things and the coverage that local people will get, in the five county area, I think the most important thing is that we will be on national television dispelling the image of a smoky city - people still think we're a steel town - and showing how beautiful this City is. The shot from Mount Washington overlooking the City would just be something we couldn't -- There would never be enough money to do what you've always had to do, Jack, which is marketing the City. This will be one of the greatest marketing opportunities this City has ever seen and we've got to make it happen.

Mr. Ferlo:

Mr. Chairman, obviously this is an excellent opportunity for a world-class event. If the Administration is reviewing this proposal, I would also hope they review our other proposal vis-a-vis our amendment to the City budget last year calling for a study of bike pathways in the City which has sort of gone by the wayside over the years and there would be no greater time to do this study to make it compliment this wonderful activity that we just heard today.

Mr. Regan:

Mr. President, I'm honored enough here today to honor the Greek people. Since they won the first marathon, now they have Cadillacs and even bicycles, maybe we can get a Greek from Greece to come over and maybe participate in your race. I think it's a great thing.

The Chair:

Thank you all.

Mr. Ferlo:

I'd like the union representative and some of the workers to come forward from the Lemington Home for this resolution on behalf of Councilman Darkins and myself.

Mr. Ferlo presents

No. 552 WHEREAS, many thousands of Pittsburgh's older residents who worked hard all their lives to build this City spend the latter portion of their lives residing in nursing homes; and

WHEREAS, repaying our collective debt to these disabled citizens by providing the best care possible in our nursing homes should be one of the highest priorities in our society; and

WHEREAS, the \$5.10 per hour average wage for direct care providers in the nursing homes in this state leaves most nursing home workers and their children below the poverty level; and

WHEREAS, many of the care providers in the nursing homes are denied adequate health insurance and most lack any health insurance coverage for their children; and

WHEREAS, pension and retirement benefits are virtually unknown in the nursing home industry; and

WHEREAS, annual employee turnover rates that exceed 140% in many nursing homes have a negative effect on patient care and are a major factor in chronic under-staffing; and

WHEREAS, the current minimum staffing levels set by the State guarantee that our citizens in nursing homes will simply be warehoused, not provided with the quality of life they

richly deserve; and

WHEREAS, this state has a method of funding nursing home care that actually encourages nursing home owners to pay poverty level wages and to provide minimal staffing levels; and

WHEREAS, as a direct result of this funding system, unionized nursing home workers, including those at the Lemington Home in this City, are presently faced with the choice between a strike and continued poverty for themselves and their children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the crisis in the nursing homes and calls upon all area State Representatives and Senators to actively support the bills now pending in the State Legislature that would raise the minimum staffing levels and provide for increased wages and benefits for direct care nursing home workers.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. We have a couple representatives here from the union today, John Englehart and some of the LPNs and rec workers who work at the Lemington Home.

Councilman Darkins and myself took part in a press conference this morning. Obviously, we do not want to see a strike at the Lemington Home; we want to see that labor dispute averted and we certainly do not want to see a strike happen.

I think it's important to note that these workers sacrificed for the last four or five years and waive any increases in their wage and other kinds of benefits package when the nursing home was in trouble. So, they came to the call and they did well.

Part of the problem is broader than just at the Lemington Home and that is, as the proclamation talks about, we need state government to respond to the issue of the wage and benefits available to these home care employees and, more importantly, we need better standards which qualify the number of employees per patient. In other words, the staffing levels need to be increased.

At this time, I'd like to introduce John Englehart from District 1199-P, National Union of Hospital and Health Care Employees, and he can introduce some of the workers.

Mr. Englehart:

I'll be very, very brief. I want to thank you for having passed this resolution that speaks to a building crisis in the nursing home industry. It is a crisis that the workers in the nursing homes and the patients in the nursing homes face every day and almost no one else in this state pays any attention to at all. So, it is a tremendous thing for us to have an elected body such as the Council here in Pittsburgh pay attention to the issue.

You have done something today for, I think, two forgotten constituencies; the elderly in the nursing homes, who I think are forgotten and should not be, and the working poor, who staff those nursing homes. \$5.00 an hour translates into about \$150 a week in take-home pay. I don't know many people that live well on that kind of wage.

You can do two very, very practical

things, I think, to help us in this struggle, and I would point out once again that it's a struggle in every nursing home. It's coming to a head at the Lemington Home, which is in Councilman Darkins' district, and he has been most helpful and we wish to thank him for that help. But there are nursing homes in every district, some of which have unionized workers in them and some of which don't.

I would urge all of you to meet with representatives of the service employees union and to go and work a day as a worker in a nursing home to see what it is really like to work and live in a nursing home. Those elected officials who have done that, I think, have really seen the reality of nursing homes in a way that few other people other than family members, patients and workers see.

I would also ask you to provide the assistance of your lobbyist in Harrisburg to help us lobby to get these three bills passed. The bills basically do three things: they would increase the minimum staffing levels in nursing homes by 10 percent, which would make a huge difference in the level of care provided. In addition to that, also do some work on getting wages higher for all direct care nursing home workers, organized or unorganized. And it would also streamline the system that the State has at present for caring for nursing homes that are in trouble.

Once again, we'd like to thank you. Thanks very much.

Ms. McGee:

I'm a worker at the Lemington Home and I'd like to thank Councilman Darkins and Mr. Ferlo and all City Council for doing this resolution for the Lemington Home.

Also, it's not only a Lemington Home crisis. We belong to 1199 SCIU nursing homes

throughout the state. And we really need Council to get behind us and help us. We love what we do or we wouldn't be here.

And one day, I'm hoping not, but who knows, one of you might have to be in those homes and it's time now for you to do something because they deserve, the older people, they deserve all we can do. If it wasn't for them, we wouldn't be here, not only me but you out there too. So, please, help us, and thank you.

The Chair:

Thank you all.

Mr. Regan:

His Great Bishop Maximus, would you please come up? Justice Papadakos and all the people here from the Greek community; Chris Copetas, would you please come up? Tommy Jeanopoulos? Papa, Father Sfanos, would you please come up? Mrs. Kachulis and Mrs. Copetas, come up please. Nicky.

Mr. Regan presents

No. 553 WHEREAS, March 25, 1821, marks the commemoration of the beginning of the Hellenic People's demand for freedom from the oppression of 368 years of Ottoman Turkish rule; and

WHEREAS, this event began a revolution for freedom which led to the restoration of a free and independent Greek state; and

WHEREAS, in the three millennia of their recorded history, the Greek people have always fostered and held dear the basic inalienable human rights of freedom and democracy, and have always fought to protect the integrity of their homeland, country and religious beliefs; and

WHEREAS, the history of the Ancient Greeks has served as a foundation for Western Civilization, inspiring that world to hold dear that self-sacrifice is a noble end to guarantee the preservation of freedom and liberty; and

WHEREAS, the revolutionaries of 1821, whose deeds are commemorated today, willingly engaged in self-sacrifice of their possessions and lives to restore liberty and freedom to the homeland that first established government of and by the people on this earth; and

WHEREAS, the Greeks of our City, be they first, second, third, or fourth generation have become valued members of this community and continue through their involvement in all fields of endeavor to promote and encourage the same love of liberty and freedom taught to them and the world by their forefathers.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh send its congratulations to the Greek community of Pittsburgh on the occasion of the 169th commemoration of the Hellenic People's declaration of independence and that this City Council express its awareness of the great contributions of the Greek people to civilization throughout history of which all freedom-loving peoples are heirs and that March 27, 1990 be proclaimed and observed as Greek Independence Day by the entire City of Pittsburgh in honor of the events of March 25, 1821.

Mr. Regan moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Regan:

That's the only time Council has agreed

on anything.

His Grace, Bishop Maximus, it is indeed an honor to be able to present this resolution to you and to the Greek people of the City of Pittsburgh. You know, we're Number One in the United States, Pittsburgh, we have the best country in the world, I mean, after today, and we are honored to have you here. I would like you to say something to the people.

Bishop Maximus:

Thank you, Bernard Reganopolous, thank you Chairman, and City Councilmembers. We appreciate this resolution.

I'd like to express to all of you my thanks on behalf of our community, the area, who has gotten all kinds of resolutions since we're celebrating Greek Independence Day, from the Governor, from the President, from the County Commissioners, but we never got a resolution from City Council. This is the first and I would like to express my appreciation to you for including us as we celebrate Greek Independence Day.

It is so beautiful and there is no way I can try to do any better in terms of telling what is celebrated these days. However, let me express my feelings about what is going on in Greece right now. I hope and pray that Greece continues to be worthy of our blood shed by our Greek Freedom Fighters. It is also my prayer that everyone else joins in receiving the blessings of a fight like the Greeks' struggle of 1821. It's heartwarming to see all those countries regaining their freedom. It's heartwarming to see South Africa regain its freedom. And it's my prayer that another place in the world, Lithuania, manages to get its full freedom, and the other countries that are under communist rule and oppression.

It's my prayer that they regain it's free-

dom. Our people are not free to express themselves to keep 400,000 Greeks there that cannot speak their language, that cannot celebrate their free state, that cannot pray to their God the way they understand they have always done.

It's my prayer that this great country of ours continues to support human rights throughout the world. I'm so glad that Senator Kennedy is in Moscow these days. He's going to go to Lithuania as well to try to be of help so that those people may finally regain their freedom and democracy, the great gift given to man by God himself, the great gift that nobody is entitled to take away from any human being.

I just want to thank you for this beautiful resolution. God Bless You.

Mr. Regan:

And now from the highest court in the Commonwealth of Pennsylvania, Justice Papadakos.

Mr. Papadakos:

Mr. President and Members of Council, do I get the last word?

Mr. Regan:

Anything you want today.

Mr. Papadakos:

A thought occurred to me the other day in a similar type ceremony that perhaps we are entering a new age of reason. Like so many oppressed people, the Greeks of 1821 had to rise in bloody revolt and fight for seven years to gain their independence. It was a handful of people against the Ottoman Empire, like a ten to one situation. Of course, they had the help of the British and the French and other countries in the

area.

So many people throughout our history have had to rise in revolt and shed blood. Today, this past year, it's amazing what has been happening in Eastern Europe. The complete turnaround that is starting in South Africa. All over the world. Nicaragua, a peaceful election changing its government which was considered to be by many an authoritarian government. Perhaps we are entering a new age of reason where no longer do people have to gain their freedom by shedding blood.

Maybe like LBJ once said, you young fellows wouldn't remember Lyndon Baines Johnson, "Let us sit down and reason together". Maybe this is what's going on.

This is our fervent prayer. When those of Greek birth or Greek heritage celebrate an independence day, fought by revolution, that no longer do we have to shed blood throughout this world and that we can gain independence for all peoples in a reasonable manner.

Thank you.

Mr. Regan:

I'd like to ask Chris Kopetas, the First Assistant District Attorney of Allegheny County, to please come up.

Mr. Copetas:

Mr. President and Members of Council and friends, thank you for honoring us on this equivalent of the Greek Fourth of July. I had quite a speech lined up, but I think I'm going to cut it quite short.

I'd like my mother to step out if she would, please. I'm not having her stand out because she's my mother only, but also because she

typifies the immigrants that came to this country 70 some years ago, the first wave of immigrants, and found a home. They said, "Send us your tired, your poor, your hungry", well, this is it. She raised her family here in this wonderful City of Pittsburgh all these years, 70 some years, and all of us went to Peabody High School, the University of Pittsburgh. In my case, Duquesne Law. So, we've been Pittsburghers all our lives.

God bless America. God bless Pittsburgh. And God bless all of you. And our motherland, Greece. Thank you.

Mr. Regan:

Thank you very much. His Grace, it's indeed an honor to have you down here.

We'd like to thank the Greek community. They've not only fed the whole world, but they were the first ones to fight for freedom. And I apologize for all the restaurants that were closed down this morning in the City. Thank you very much.

The Chair:

Thank you much.

Mr. Ricciardi:

Mr. President, if I could please ask Alice Rich and Virginia Summers to step forward, please. Alice Rich is the President of the Allegheny County League of Women Voters, and Virginia Summers is the Vice-President of the group.

Mr. Ricciardi presents

No. 554 WHEREAS, the Allegheny County League of Women Voters, since its inception 70 years ago, has sought to serve the voters of this community, and has made available

non-partisan information about voting procedures, candidates, and issues; and

WHEREAS, the right to vote is fundamental to the American system, and is the very foundation upon which all other democratic processes rest; and

WHEREAS, the Allegheny County League of Women Voters has throughout the years supported a wide variety of worthwhile and humanitarian causes ranging from suffrage for women to voter registration drives and is providing assistance to elderly and handicapped voters; and

WHEREAS, members of the League have long endeavored to strengthen government through their collective and individual efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the officers and members of the Allegheny County League of Women Voters for 70 years of productive service to the public.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, Members of City Council. It is a pleasure and an honor for me to present this resolution today to this fine group for their worthy efforts. Because of their efforts, they've helped voters and residents of Allegheny County to become more informed citizens.

Now I'd like to ask the President of the group, Alice Rich, if she could please step forward and say a few words.

Ma. Rich:

Mr. President, honorable Members of City Council, it is with sincere appreciation that I accept this resolution from Council on behalf of all the members of the Allegheny County League of Women Voters. You have honored us, and we thank you.

The Allegheny County League of Women Voters, and please notice that I stress the words, "Allegheny County" because it's part of our name, is an independent, non-lobbying, educational organization which was founded in Pittsburgh on January 14, 1920 at a meeting in the William Penn Hotel. Its officers and board were elected at that meeting and its name was decided upon. It was called the Allegheny County League of Women Citizens.

By the following May, in five months, it had over 4,000 members. It had a headquarters and a staff.

Upon ratification of the 19th Amendment in August of 1920, the slogan was: "Every woman an intelligent voter" and the idea was to be an association of women who wish not merely to vote but to make their votes count for the public good.

The Allegheny County League of Women Voters has always declared that authoritarianism, regimentation, dictation and package thinking are not for us. We strive, therefore, to provide our members with information that will make them able to make up their own minds about how they want to vote.

Our voters guide, our booklet entitled, "Know Your Elected Officials", our monthly public affairs capsule, our many lecture series, workshops, courses for members and others, our educational work in the high schools, preparing

future voters and teaching them how to register and vote and why they should register and vote. All this and more is part of the League's effort to achieve good government at a sound economic climate throughout Allegheny County.

We have had a busy 70 years of serving the citizens of this County and this City. I don't know of many old ladies who want their 70th birthday trumpeted throughout the County, but the Allegheny County League is very proud that this is our 70th birthday and we look forward to at least 70 more years of serving this County and this City.

Thank you again for your recognition of our work.

The Chair:

Thank you all very much. You do an excellent job.

Mr. Cohen presented

No. 510 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Institute in connection with the Scheduled Asbestos Abatement Program at the Institute at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 90-429, "1989 Project Fund".

Also,

No. 511 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with Miscellaneous Renovations to Various Branches at a cost not to exceed \$250,000.00, chargeable to and payable from Code Account EC 90-430, "1989 Project Fund".

Also,

No. 512 Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library (The Carnegie) in connection with the Central Branch Rehabilitation at a cost not to exceed \$125,000.00, chargeable to and payable from Code Account EC 90-409, "1989 Project Fund".

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 513 Resolution providing for the transfer of funds totalling \$301,500.00 from various City Department Code Accounts to Code Account 1132-7, Index Code 113274, Utilities, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 514 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the design, lease purchase and installation of high pressure sodium street lighting for the Dept. of Public Works, for a period not to exceed five (5) years, at a cost not to exceed \$682,000.00, chargeable to and payable from Code Account 1545, Street Lighting and amounts appropriated from time to time in succeeding calendar years.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 515 Resolution vacating Enfield Street, beginning at a point 164.50 feet from Morewood Avenue, thence northwardly 65 feet to its terminus; also, vacation of unnamed way from Enfield Street westwardly to its terminus; also, reserving a 6" water line and sewer line, in the 8th Ward of the City of Pittsburgh. (VOTING DISTRICT #8)

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 516 Resolution further amending Res. No. 1061, eff. January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program" to change project Code Account Numbers.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 517 Communication from Councilwoman Michelle Madoff, requesting permission for Sarah Meeks, Administration Asst. to attend the WordPerfect Seminar on April 27, 1990 in Pittsburgh, PA, at a cost not to exceed \$125.00, chargeable to and payable from Code Account 1001-3, Education and Training, City Council.

Which was read and referred to the Committee on Water.

Mr. Milliones presented

No. 518 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$2,984.34 to the Commonwealth of Pa. representing final payment required for unclaimed funds for the year 1981 pursuant to the provisions of deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 519 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$2,571.59 to the Commonwealth of Pa. representing initial payment required for unclaimed funds for the year 1982 pursuant to the provisions of the deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 520 Resolution further amending Res. No. 733 of 1983 as amended by Res. No. 548 of 1985, further amended, "Providing for an Agreement or Agreements with various Private for Profit and Non-Profit entities to provide employment opportunities for low and moderate income city residents in connection with the 1983 CDBG Emergency Jobs Bill Program and providing for the payment of the costs thereof," by providing for relief on encumbrances of unspent funds by reducing the amount available for administrative costs by \$667.37, by reducing the amount available for subcontracts by \$1.83, by reducing the amount available for participant wages and fringe benefits by \$23,084.57 and by decreasing the aggregate amount of the Res. by \$23,753.77, at an aggregate cost not to exceed \$1,319,460.53, chargeable to and payable from the 1983 CDBG

Emergency Job Bill Program.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 521 Resolution providing for the issuance of a warrant in the sum of \$8,750.00 to Ruth F. Weiford c/o Anton W. Bigman, Esq., her attorney, 210 Fort Pitt Commons, Pgh., PA 15219 in full and final settlement of an accident involving a City vehicle which allegedly struck plaintiff's stopped vehicle on the Liberty Bridge exit ramp to the Boulevard of the Allies on or about January 3, 1986, payable from Code Account No. 46, Judgments.

Also,

No. 522 Resolution Repealing Res. No. 17, Item G, approved Feb. 5, 1990, which authorized the sale of property in the 26th Ward, being a vacant tri-lot containing 28' X 42' X 35' L.R. 102', located at 2-4 Perryview Avenue, designated as Block 162 R, Lot 2, to Frank L. Crawshaw and Nancy J. Crawshaw, his wife, for the sum of \$350.00.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 523 Resolution authorizing the

transfer of \$5,000.00 from Code Account 1400-1, Premium Pay, Dept. of Public Safety, Administration to Code Account 1475-1, Premium Pay, Dept. of Public Safety, Bureau of Building Inspection.

Which was read and referred to the Committee on Finance.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 524 Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 1401, Bureau of Administration, Department of Public Safety.

Also,

No. 525 Resolution providing for an Agreement or Agreements with Women's Center & Shelter of Greater Pittsburgh for the furnishing of professional services for the benefit of residents of the City of Pittsburgh during 1990 at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account (PSTA, Index Code (253450), Bureau of Administration, Department of Public Safety.

Which were read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 526 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Street, Pgh., PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of March, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District #3, City Council. ---**(SPONSORED BY MR. RICCIARDI)**

Also,

No. 527 Resolution authorizing the issuance of a warrant in favor of Hozak Farms in the amount of \$2,143.21 in payment for supplies and materials for Phipps Conservatory, chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Also,

No. 528 Resolution authorizing the issuance of a warrant in favor of Knepper Press in the amount of \$2,200.00 in payment for services for Phipps Conservatory, chargeable to and payable from PCTF, Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Also,

No. 529 Resolution authorizing the issuance of a warrant in favor of Pittsburgh Cut Flower Co. in the amount of \$1,748.79 in payment for supplies and materials for Phipps Conservatory, chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, Department of Parks and Recreation.

Also,

No. 530 Resolution authorizing the issuance of a warrant in favor of Taronga Zoo, Sydney Australia in the amount of \$999.77 in payment for transportation costs for the shipment of live birds for the Pittsburgh Aviary, chargeable to and payable from Code Account ATF, Aviary Trust Fund, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 531 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT providing for the execution of the Grant(s) and for the filing of requisitions and other data approving the Project providing for required assurances; providing for execution of payment vouchers or Letters of Credit and for certification of authorized signatures and providing for the deposit of the funds in the Special Summer Food Service Program account.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 532 Resolution amending Res. No. 148, eff. March 22, 1989 entitled, "Providing for the letting of a Contract or Contracts, or the use of existing Contracts for Major Repairs and Emergencies, for the Dept. of Parks and Recreation, payable from Code Account PR 89-07, 4-10-01-0010-89, Index Code 592253,

Major Repairs and Emergencies, Dept. of Parks and Recreation and for payment thereof," by increasing the cost from \$110,000.00 to \$125,000.00, chargeable to and payable from Code Account PR 89-07, Major Repairs and Emergencies, Dept. of Parks and Recreation.

Also,

No. 533 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the furnishing and installation of picnic shelters for the Dept. of Parks and Recreation, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account PR 141, Erect Non-Permit Pre-Fab Picnic Shelters, Dept. of Parks and Recreation.

Also,

No. 534 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Dept. of Parks and Recreation, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account PR 123, Fence Repairs, Dept. of Parks and Recreation.

Also,

No. 535 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Dept. of Parks and Recreation, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PR 120, Concrete Repairs to Parks Facilities, Dept. of Parks and Recreation.

Also,

No. 536 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the installation of a

playground safety surface for the Dept. of Parks and Recreation, at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account PR 458, Play Area Safety Improvements, Dept. of Parks and Recreation.

Also,

No. 537 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for miscellaneous major repairs and emergencies, for the Dept. of Parks and Recreation, at a cost not to exceed \$120,000.00, chargeable to and payable from Code Account PR 121, Major Repairs and Emergencies, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on General Services.

Also,

No. 538 Resolution providing for an Agreement or Agreements with the Boys and Girls Club of Western Pennsylvania for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 539 Resolution granting a Lease to the Pittsburgh Parking Authority for the exclusive use for a five-year period with two five-year options of City property known as Schenely Plaza Parking Lot, under the terms and conditions as more fully set forth in the Lease between the Dept. of Parks and Recreation and the Pittsburgh Public Parking Authority.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 540 Resolution providing for the issuance of a warrant in favor of NBI (Fifth Avenue Place, Suite 2660, Pgh., PA 15222), in the amount of \$1,687.50 for consultant services and training of two employees on the NBI PC Units in the City Clerk's Office, chargeable to and payable from Code Account 1006, Equipment (Index Code 100602).

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 541 Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company in the amount of \$2,595.00 for the purchase of office furniture for City Council, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc. (Index Code 100115). --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 542 Communication from the Public Parking Authority of Pittsburgh,

submitting the Authority's list of personnel as of January 1, 1990.

Also,

No. 543 Petition from the residents of the City of Pittsburgh, 16th Ward, requesting a public hearing to discuss a zoning change and other unresolved issues effecting and safety and welfare of the Community.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milllones presented

Bill No. 544

Report of the Committee on Finance for March 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 441

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sonitorial Security Systems in the amount of \$2,675.00 in payment of the re-installation of a security system at the McKinley Park Maintenance Buildings; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 463

A Resolution entitled, "Resolution providing for

the issuance of a warrant to Gaglia Contractors & Landscaping, Inc. in the amount of \$5,000.00 in full settlement of claim for reimbursement for loss of contract, profit and extra expense on Pittsburgh Zoo Phase II Project."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milllones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 464

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1989 to the same or to other code accounts for the year 1990."

---(SPONSORED BY MR. MILLLONES)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 465

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Mr. Cohen:

I abstain on Subsection I on Bill No. 465.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 545

Report of the Committee on Public Works for March 21, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 447

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for traffic signal installation at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

(MR. WAGNER'S REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 447 - Wednesday, 3/21/90)

Mr. Wagner:

Director, could you tell me the locations for these various signals?

Mr. Gaetano:

This piece of legislation is not the total signal legislation, but this is for the loop detectors and for the pole foundations that we put in on our \$300,000.00 contract.

One of the locations that we will be using this contract for strictly on the foundation portions, and I do the rest, is Brookline Boulevard and Wedgemere.

Mr. Wagner:

It is the location that I requested at budget time a couple times in the past?

Mr. Gaetano:

Yes. This was actually one of the ones you did request at budget time. It is the one location we are going to put in. In fact, it will be the first one in this year.

Mr. Wagner:

I would ask you to move as expeditiously as possible at that location. We have had a couple fatalities, one within the last week, at that intersection with a pedestrian. And this is a critical item that needs to be completed.

(End of remarks)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 546

Report of the Committee on Planning, Housing and Development for March 21, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 96

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, pertaining to the "SP-2" Herr's Island Specially Planned Zoning District; by revising the listing of preferred use and permitted use, by revising

the percentage of required open space, by revising the amount of floor area permitted for light manufacturing use, and by providing additional definitions."

Which was read.

The Chair:

I'd like my remarks brought forward for the Record, please.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 96 - Wednesday, 3/21/90)

Mr. Wagner:

We had some discussion last week at the hearing about development on this Island and the various changes that Council has made in zoning, the monies we have allocated over the years, which is somewhere around \$18 million for infrastructure on the Island. And what we talked about, I think, and I think what the feeling of Council is, that we want to see something happen on the Island. We have all talked about it and the URA has talked about it, and one of the items discussed was to go out to a private concern to market the Island. I know that does not directly tie in with the piece of legislation in front of us, but at the same time it does, because I think there needs to be some commitments, whether they be verbal or whatever, from the URA to do something of that nature so that in the very near future we see something happen, some jobs on the Island, some people living on the Island, and get something back for our investment. I don't know if we have had that commitment yet, and I would like to ask someone from the URA, Evan Stoddard is here, in charge of economic development.

Mr. Stoddard, in regard to this issue, is the URA going to go out and market this Island the way it should be marketed so we can see something happen in 1990 on the island?

Mr. Stoddard:

Absolutely; we think we are doing that now. Mr. Wagner, you may not have gotten the letter that was sent to you just yesterday addressing that subject from George Whitmer. In that letter we have described the marketing efforts that North Side Civic Development Council has undertaken with the help of Dieter Associates, a private marketing firm. We also included with that letter their quarterly report that they submitted to us in December, indicating some of the activities they had undertaken in the last part of last year. Of course, because of the problems that the Island has had, we have had to suspend our marketing efforts for about a year and a half, but we got those back underway last fall, and we are confident that we will be seeing some very substantial activity on the Island in the near future between the sports development and the very, very considerable interest in the marina development that we received as a result of the request for proposals that the URA sent out last year, late last year.

So I think in the very near future we will be bringing to Council some very interesting developments that you will be able to consider.

Mr. Wagner:

Well, I certainly hope it is here, because I think the time has come where we cannot let that Island sit idle anymore.

Mr. Stoddard:

No question about it.

Mr. Wagner:

I believe that the marketing effort must be an aggressive marketing effort, and it is very important to employ true professionals in marketing, rather than the economic development people, that is a different profession.

Mr. Stoddard:

Sure, that is right.

Mr. Wagner:

Marketing is a profession in and of itself, and I really think that this Island is a tremendous location, particularly with all the investment in it so far. And really, before I continue to vote on legislation on this Island, I want to see something happen there.

Mr. Stoddard:

I think we understand that and couldn't agree more with you, that it is time to get going on the Island. We are hopeful that the legislation that you have before you today will help that process get started, because it really will permit some very exciting development on the upper end of the Island that both will add to the public amenities on the Island and create an environment we think will be exciting to private companies.

Also, as Mr. Ferlo mentioned, it provides for the possibility of a very exciting development by a nice company that has a great deal of interest in the Island, but which cannot locate their now as is presently zoned.

Mr. Wagner:

Okay. By passing this legislation we are going to see something happen within months?

Mr. Stoddard:

That is right.

Mr. Wagner:

How many months?

Mr. Stoddard:

Gee, on the park side, the planning for the park is already underway. The construction for the park is scheduled to begin late this year.

On the private development side, I can't make any guarantees, because until the contract is signed, you can't guarantee anything. But the action you are taking today would pave the way for that development to move forward. I am hopeful within the next month we would be coming back to the Council with an item relating to that private development.

Mr. Wagner:

Great. I would like all of you to keep all of us posted. I would like to partake in the ground breaking ceremony for a company, condominiums, boat dock facility and all of that on that Island in 1990.

Mr. Stoddard:

Hope to be there with you.

Mr. Wagner:

I don't think we should be hoping. I think we need to do it. We need to say, "It is going to be done in 1990, and it will be done in 1990." If this marketing firm you are employing is not the firm to do it, let's go get another firm to do it. But we have almost \$20 million of taxpayer monies in that Island with no return on investment.

Mr. Stoddard:

That's right.

Mr. Wagner:

We cannot put any more dollars in that Island; it has to start giving us back a return for our investment.

Mr. Stoddard:

I agree with you.

Mr. Wagner:

So let's move aggressively in 1990 to do that.

(End of comments)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Regan
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 449

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A-14 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Allegheny General Hospital, owner, for authorization to construct a five-story, 120-bed continuing care facility on the southwest corner of HEMLOCK STREET and JAMES STREET. The facility is to be located on property zoned "I-M" Institutional-Medical District, in the 22nd Ward."

Which was read.

The Chair:

On Bill 449, I'm voting in favor of it, but

we talked at great length at the public hearing and in some detail at the meeting last week about marketing Herr's Island. I received a letter from the URA in regard to that issue. I don't think all Councilmembers have received a copy of that letter. Evidently not.

I'm rather disappointed. They're going to a firm in Vermont to market the island. The firm is in the process of relocation to the City of Pittsburgh. That will not happen for one year and I am rather disappointed to read that.

I don't think that's really part of this issue so I'm still voting in the affirmative on the bill, but I really think that we need to push the URA to appropriately market Herr's Island with a local firm.

I would like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 449 - Wednesday, 3/21/90)

Mr. Wagner:

Mr. Chairman, I know you are right, that issue is not in front of us, and I am also voting in favor of this legislation. But I simply want to state, Director, that there are negotiations going on with this Hospital, not only on this issue, but many other issues relating to city government. I just think it is about time that Allegheny General send a positive signal on the other issue. We are very cooperative and I think they should be, also.

(End of comments)

(Transcribed by Helen L. Kriebel)

Mr. Ferlo:

Mr. Chairman, since you raised the issue, I think you know my view. I think we should sell the island to Donald Trump because he's the only one with enough money to ever put a building up on it.

I would ask, Mr. Chairman, however, that, in the past, you have called for quarterly meetings with the Mayor and the URA on progress to date on various development initiatives, and certainly this being a primary one, and I would urge you to consider re-instituting that in your new role as President of Council.

Secondly, equal to that would be the development and initiative on the J & L technology site.

But I would strongly urge you consider doing that. If we don't stay on top of it, yourself included, as you pointed out at the meeting, it just won't happen.

The Chair:

I think that's an excellent idea. We'll schedule a separate meeting just on progress of major projects with the URA.

Mr. Regan:

Mr. President, I just want to make Councilman Ferlo aware that Henry Hillman from Pittsburgh has more money than Donald Trump. So, if we're going to sell it, I'd like to sell it to a Pittsburgher, even if he is a Republican.

Mr. Ferlo:

I hope he's listening.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 451

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Human Services for the payment of operating costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 452

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center & Shelter for the payment of furnishings and operating costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Mr. Cohen:

**I'd like my remarks brought forward on
this bill.**

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO. 452 - Wednesday 3/21/90)

Mr. Cohen:

Mr. Chairman, let me say that I think these bills represent one of the best things a government can do, which is to help those who really have no where else to turn. All of these are for emergency shelters or emergency money. The city is merely acting as a conduit for federal money, is my understanding.

But I wanted to take one as an example, which is not to say the others aren't equally worthy, but the Women's Center and Shelter, of which I am quite familiar with, protects victims of abuse, victims of domestic violence. Last year alone there were 800 victims of abuse that were turned away from the Women's Center and Shelter because they don't have enough funding or enough shelter space. Domestic violence is an ever increasing problem, both nationwide but also here in Pittsburgh. I think, just as an example, this is one very worthy investment, and I am sure all the others are equally worthy. I think it is a great thing that we are involved in this.

(End of comments)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 453

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the North Side Common Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 454

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the YMCA - Centre Avenue for the payment of maintenance, operation, insurance, utilities and/or rehabilitation costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 455

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Miryam's for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 456

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with Womanspace East for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 457

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Bethlehem Haven for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of service under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 458

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Whale's Tale for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 459

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Light of Life Rescue Mission for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 460

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Three Rivers Youth for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 461

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvation Army (3rd Avenue) for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Also,

Bill No. 462

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the East End Cooperative Ministries for the payment of maintenance, operation, insurance, utilities and/or furnishing costs in relation to the provision of services under the Emergency Shelter Grants Program."

Which was read.

Mr. Ferlo:

Mr. Chairman, on the Emergency Shelter Grants Program, we did ask for a report from the Director regarding the number of individual clients served each evening in the emergency shelter facilities and hope that we would note that we would like that report.

The Chair:

Mr. Perry, has that been received?

Mr. Perry:

I haven't received it. No.

The Chair:

I would anticipate its forthcoming.

Also,

Bill No. 481

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the 'Community and Social Service Programs in Public Housing Communities' (HA-89-02) at a cost not to exceed \$50,000.00, chargeable to and payable from the 1989 CDBG - Housing Authority (HA-89-02) 'Community and Social Service Programs in Public Housing Communities' Project #4-65-01-0002-89-410-89-65, Index #432401."

Which was read.

Mr. Cohen:

Mr. President, with respect to Bill 481, there was some discussion on bringing social services to the communities and I think Councilman Ferlo expressed positive statements about

that last Wednesday. I would just like to say that I think it's a very important bill and one that takes really the first step in getting tenant managements and the fundamental goal in public housing that the residents stand up and boldly take a stake in their future.

We talked about some of the social services that were being provided by this bill. I think those are good, including literacy training which Councilwoman Madoff discussed, but I think also we need job skills training, nutrition education, and social services like that so that we can really take the first step towards getting public housing communities back on the road. So, I'm very strongly in favor of that bill.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 547

Report of the Committee on General Services for March 21, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 445

A Resolution entitled, "Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the purchase and delivery of a Portable X-ray Unit and Accessories, and providing for the payment thereof."

Which was read.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 548

Report of the Committee on Parks and Recreation for March 21, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 448

A Resolution entitled, "Resolution providing for a Contract or Contracts with the Bloomfield-Garfield Corporation, for the relocation and repair of the Veteran's Honor Roll Monument located on Penn Avenue in the 8th Ward of the City of Pittsburgh, and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff**

AYES 9

**Mr. Millionses
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)**

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 549

Report of the Committee on Public Safety for March 21, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 466

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM) in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff**

**Mr. Millionses
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)**

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 550

Report of the Committee on Engineering and Construction for March 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 442

A Resolution entitled, "Resolution further amending Res. No. 899, eff. 10/3/85, as amended by Res. No. 867, eff. 10/6/86, as amended by Res. No. 859, eff. 11/4/87, entitled, 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements with a Consultant or Consultants for Professional Engineering/Architectural Services in connection with the Design of Clemente Park River Safety Center; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$20,000.00 from \$115,000.00 to \$135,000.00."

Which was read.

Mr. Ferlo:

Mr. President, on Bill No. 442 regarding the multi-million dollar construction of a River Rescue Safety Center, I just want to clarify my concern. My concern, obviously, is that it's wonderful for us to consider the construction of a new River Rescue Center. There could be no debate as to the fact that we need to provide these

services. The concern that I have, very simply put, are that, once again, the County is off the hook. The County is not contributing money to something which basically serves a regional need.

I resent the fact that we continue to expand the bureaucracy of the Department of Public Safety at the expense of foot patrol and police officers available to deal with crime at the community level.

I resent the fact that the Administration is not politically holding the County accountable for contributing to this activity, the River Rescue Center. The only time in the history of the City we've ever gotten County support was the Pirate bond issue, and that was through the Authority to approve the municipalities, the AIM Grant pulling in \$26,000. And even that, as Mr. President will remember, I know yourself had to raise that concern each year in September or October because it takes that long for us to even get that money, which we were awarded.

So, I think we should send this back. I would encourage my colleagues to vote no on this. We should go back to the County for an AIM Grant. The County should be kicking in to support the construction of this River Rescue Center. It's not too late. This happens to be a specific bill moving the project ahead. So, I would ask the Administration to please do that; however, tactically, I think we missed the boat. The County is never going to do anything for us if we just go ahead and do it in spite of them and build it without their support. We have to demand and prevail upon them to make a fair share contribution, which they are not doing.

So, again, it has nothing to do with whether or not we would like to have a River Rescue Center. Sure, I'd like to have a lot of things in this City. But it comes down to critical dollars and I think it has come down to that.

When we have Administration that now says they're never going to fill the 1,200 budgeted numbers for police officers, I think it's time for Council to step in and provide some checks and balances. If I had to vote for several millions of dollars for River Rescue Center versus getting a full complement of police officers, I'm voting for police officers. I'm voting to re-open No. 3 Police Station. I'd vote for a lot of things regarding expenditures needed in the Police Bureau before I'd vote for another expansion of the bureaucracy of Public Safety. So, I'm voting no.

(REMARKS ON FOLLOWING PAGES)

Michelle Madoff:

While I understand the frustration of my colleague, having suffered that frustration longer than he has, I don't think that the day is done. I think we must meet with the Commissioners, and I think his point is well taken that we try to get some dollars.

But I think what we're doing here is mixing apples and oranges. It's not a matter of do we want to have more police or will we have a River Rescue. If we're going to expand our rivers, if we want to encourage people to live on the rivers, if we realize that the City is self-insured that any time we have a lawsuit pertaining to problems of rescue on the river, we, the taxpayers, have to pay that liability. We don't have a choice. We must go ahead and re-do the River Rescue Center.

But that doesn't mean that Mr. Ferlo is wrong and it doesn't mean that we shouldn't be following up by perhaps having a post agenda or a private meeting with the Commissioners, and I think it would also be very incumbent upon us to look at the AIM Bond which almost went belly up. That's another subject for another day.

I would like my comments brought forward from the previous meeting. Thank you.

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 442-Wednesday, 3/21/90)

Michelle Madoff:

I am very familiar with it and I support it. I have one quick question. How did you come up with the \$3,200.00?

Mr. Ferlo:

As I explained last week, the \$3,200.00 is half of the overall cost to repair, renovate and relocate this monument to a more appealing site. The \$6,400.00 will do all the work, \$3,200.00 has already been raised from a Veteran's Group in the area and the community group is acting as the conduit.

But I would like to make a motion to revert back to the original legislation, which was Code Account 1801 in Parks. There is no money in Code Account 10; it is an empty gesture. I know we had discussions last week with Mr. Wagner's concerns about doing this. I would ask we please support this with 1801. If the Parks Director does not want to execute a contract, that is fine. But at this point, I would like to make a motion that we amend this to read Code Account 1801, Parks.

(Deleted text.)

Michelle Madoff:

I am concerned that we frequently in this Council have been able to find money for things that were important for the community. This is an important item, it goes to the dignity of the people in the community.

When you make a statement, Mr. Ferlo, that, "We will put it in Parks, and if the Director doesn't want to issue a contract, so be it," I am saying this Council can find some money in a code account and let's do this project.

(Deleted text.)

Michelle Madoff:

I believe that what you are doing is very responsible, should be commended and continue doing it. But in the same manner that you had an emergency on a statue and you had to make it safe, here we have a community that has already put up some money, done the research, and I think, based on the cooperation with the various communities, if they are there and ready to go, I think they have to be considered on a priority basis up front.

Another thing, I think we need to have some response when you give us the list, if you are having vandalism of monuments in certain areas, are you considering moving those and what kind of protection will you provide to stop the vandalism? Are you going to have the community adopt the statue and look out for

it? It is not unheard of. We adopt animals at the zoo, support them and look out for each other, and block watches. I don't see any purpose into putting money into something that is going to be vandalized again immediately. If it is over a long term, that is one thing; if it is an accident, that is another. But if you are going to repair something and you know there is no point in doing it, I think you have to come back and tell us that and see what this Council can do to help you.

(End of comments)

(Transcribed by Helen L. Kriebel)

Mr. Cohen:

I respectfully disagree with Councilman Ferlo on this issue. He said it's not too late; my view is that it is too late, that \$115,000 was already allocated for this project.

What this specific bill does is increases the allocation by another \$20,000 in order to accommodate neighborhood groups who had some concerns about how the River Rescue Center was built. That's what this does.

The ship has already sailed on this bill. And with respect to the River Rescue Center itself, from what Glenn Cannon said last Wednesday, it's in a terrible state of disrepair and if we don't vote for this bill, in my view, we're going to have to have a River Rescue Center for our River Rescue Center. So, I'm voting yes.

The Chair:

I would just like to add that I'm not sure if all Councilmembers have been informed that there is a groundbreaking on this project this afternoon at 1:30. All Councilmembers are invited, including Mr. Ferlo.

Michelle Madoff:

And you got it moved, I take it?

The Chair:

Yes, from 10:00 this morning to 1:30.

Michelle Madoff:

Bravo. It's time that we started being included in these things.

Mr. Regan:

I would like to just add my sentiments to

the distinguished Councilman from Squirrel Hill, that I think that this has been long overdue and I agree the ship is sailing and we're going to be on it this afternoon.

I disagree with him, though, with Allegheny County. We have two Commissioners over there that are from the City and I think they love the City of Pittsburgh as much as we do. I think they're stretched with their dollars over there, but I think that if we sit down with them I think that we can work a lot of things out. But we have to sit down and talk and negotiate. I think we can do it. And I don't know any better negotiator than Mr. Ferlo; I'd like him to go with me when I go to see them. Thank you.

Mr. Cohen:

Councilman, I'm from Point Breeze but would be happy to be an honorary resident of Squirrel Hill.

The Chair:

Is there any further discussion the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 443

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for street Tree Planting at Various Locations and Various Business Districts in the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 444

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants for Architectural/Engineering Services in connection with Various City Projects; and providing for the payments of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. Perry, would it be any great difficulty to list on the Minutes who the Stenotypist was and who recorded the Minutes? I would like to have this so I know who to go back to if there's any problems.

Mr. Perry:

Marianne records the Minutes.

Michelle Madoff:

Does it appear on the Minutes?

Mr. Perry:

We do that in-house.

Michelle Madoff:

That's not what I asked you. I'd like their names on each one, who did it that week.

Mr. Perry:

I only have one person that does it every week.

Michelle Madoff:

Only one person doing it now because of the new processors?

Mr. Perry:

It's always been one person.

Michelle Madoff:

There's only one person taking the Minutes?

Mr. Perry:

Yes. She's right there.

Michelle Madoff:

We've had different people taking Minutes on Wednesdays and Mondays and whatever. Okay.

On two other items, one I raised here be-

fore. I pointed out to the Councilmembers that we received a list of employees from the Authorities each year. I had a call at my office asking about someone who was working at the Housing Authority. I went to my list and, of course, that person's name didn't appear. And so I called down to the Housing Authority and said, "Do you have a person by the name of -- whatever?" And they said, "Oh, yes." I said, "Why won't he be on the list." He said, "He's only a temp." I said, "What do you mean he's only a temporary? How long has he been working for you?" He said, "A year." I said, "What's his salary?" He said, "\$24,000 plus overtime." I said, "What do you mean he's a temporary?" He said, "Well, when we have somebody who is on workers' comp, we hire people and we call them temporaries and we don't list them." Of course they're listed in the payroll of Housing, don't misunderstand. I don't believe it's a ghost employee. But we have not been given the privilege of knowing who those people are with the other lists that we receive.

From my limited research, that is the only agency that is doing that. The only agency.

So, I asked how many more there were like this person and they said about 22. The list finally arrived and if you look at the list, there were 49.

I don't know whether I'm correct or not, but my gut tells me that patronage is alive and well and living in the Housing Authority.

I think it would be a good idea to meet with Reggie Young or a note be sent to Reggie to see what he's going to do about changing the process. I've respectfully asked Reggie Young and David Washington to change the process whereby you have temporary employees who are part-time, and temporary full-time who are interim employees. Change the term to interim. But those names must be on the list that come to

us.

And for anybody who is interested, you might want to take a look down the list and see if you recognize anyone. I do not but there may be some people that are recognizable.

Mr. Darkins:

What is the point? What are we making here?

Michelle Madoff:

The point is that we get a list every year of all the employees and we didn't get these names on our list. 49 people were missing from the list. They've been working full-time and they're missing from the list.

The Chair:

It's a valid point that Councilwoman Madoff is bringing up. Other Authorities are providing us lists and we're finding out that a far majority does not have those lists.

Michelle Madoff:

The City rebids the job. This is nonsense. It's misleading and we want to get the correct information.

On a much more serious matter. It has come to my attention, and you know that this Council has had an on-going battle with the problems at the Westgate Housing Development. Thanks to the efforts of this Council, and I guess in part to my own, we were able to curtail the rampant shootings, the threats to the community that were going on in Westgate. As a matter of fact, it has become a rather docile, quite community. I'm happy to report that things are not as bad as they were on the obvious. I'm sure that the drug sales are going on, busi-

ness as usual, but at least children aren't being shot at.

Part of this is due to the fact that, because of the pressure of this Council and the media and my efforts, Mr. Pugatch, who is the absentee landlord, and I call him a slum landlord from Baltimore, hired a security firm. The security firm is headed by a Mr. Lynn Wright who has a good reputation, I believe, in that he is the Executive Director working for the Housing Authority for the County.

Now, for some personal reason be-
knownst best to Mr. Pugatch and his privilege, he has gone out presumably to seek RFPs from other possible security contractors to run the Westgate operation, and that's his privilege.

The way it came to light, from my perspective, was that the Fire Station in 4, which is in my district, had notices up on the bulletin board saying that they were looking for off-duty police officers who would be willing to work at Westgate and, if they were interested, to please contact these persons to say that they wish to take the job.

I have spoken to Glenn Cannon about this. I spoke to him as recently as last Friday about this problem. My concerns were, and I talked to the Law Department, what happens to a police officer who is working for a private security firm not of the magnitude of a Giant Eagle, not of the magnitude of a Sears, not of the magnitude of, perhaps, the Civic Arena or Stadium where we do some subcontracting, and that person is injured. Who picks up the workers' comp? Who picks up the disability and is that person covered? I have some great concerns.

So, I'm waiting for an answer on that. It's a very garbled, indistinct decision. We have not really had a definite answer.

Now, on March 23, last week, a notice appeared at Station 2 in the Hill District. And on Xeroxed paper that is Pittsburgh Department of Public Safety, implying that the Public Safety Department is sponsoring this request, with a magic marker, it says, "Westgate Village detail will start on April 2, 1990. Call Earl Stewart" - he's the warrant officer and it gives his office number for the City - "7251 - if you'd like to work."

My understanding is that this is illegal, that a police officer in uniform who works for the City cannot go out and start his own private security firm.

And number two, the greater concern, is that our liability for workers' comp is so horrendous, and if we're going to put these people out, are they going to have working powers? Are they going to have permission from the City Police Department? I understand that they do not.

So, I would respectfully request that as soon as possible, like yesterday, tomorrow, we have a post agenda to discuss this problem with Chief Pampena, Glenn Cannon, Lou DiNardo, and anyone else. I'd like to have Mr. Earl Stewart here. And if you read the attached letter which I've distributed that came to my attention from Mr. Lynn Wright, I don't know who Earl Johnson is but they formed a corporation called E & E Consultants. I'd like to know what their insurance liabilities are, whether they paid their premiums. I'd like to have the contract. I want to see the contract that provides for police protection in the event of disability. And I would hope that my colleagues would also like to see that. I spoke just briefly to Mr. Darkins and I think he supports me on this. I hope.

Can we make that official for tomorrow?
Do we need a motion on that?

The Chair:

The request is being made and Mr. Perry will forward it.

Mr. Perry:

As soon as possible.

Mr. Coyne:

Mr. Chairman, I'd like to thank you for setting up the tour last week of Streets Run Stream in the Hays District of the 31st Ward. And the other Councilmembers who attended, I appreciate your attention to what I consider a serious issue.

Each of you saw the utter disrepair that the stream is in near the streets of Calera, Baldwin Road in the City of Pittsburgh, and I would hope that we could call immediate attention to this to the Department of Public Works. Unfortunately, the Director from the City wasn't there last week and neither was the County. But I think it's something that we need to bring to the County's attention also and also the State. The condition that the people are living in over there, as everyone was witness to, is very dreadful. In fact, it's dangerous. A car could go over the embankment at any time.

So, I would like to take suggestions from other Councilmembers as to what we could possibly do to expedite at least the installation of guardrails and possibly cleaning out that stream. I'm requesting any assistance you may be able to give my office in getting the Department of Public Works to get out there and start working on the situation sooner.

Mr. Darkins:

Mr. Chairman, I also want to bring to your attention, not because I'm a Minister and I visited that Catholic Church over there, it's just a

shame because when the waters rise, the water goes into the basement of that Church and also that school. I think something should be done about it because the House of God must be safe at all times.

Mr. Ferlo:

Mr. President, I appreciate the opportunity that Councilman Coyne provided in arranging that tour. I was a little bit shocked, this Calera Street, the roadway, as you pointed out, Mr. Wagner when we were out there, it's about to fall into the stream. And while the City is justified to some extent in its concern about the County and/or State government contributing for other parts of the terrain, there can be no doubt as to whose liability it is to deal with Calera Street.

I think when we have these tours, and I think Councilman Coyne is requesting that we go out again with Director Sciulli from E & C and Director Gaetano from Public Works, I think it's important that we go back out there. But there needs to be emergency measures taken immediately by Public Works in relation to Calera Street. I don't know if that's the jersey barriers or the metal barriers but, whatever it is, something has to happen immediately. That should happen this week, like yesterday.

In the meantime, I hope that we can arrange for another meeting and I would hope that we could prevail, Mr. President, as you pointed out at the tour, that we need to call on the State Representatives from that area, the State Senator from that area, to get involved and not pass the buck to the City.

So, I would hope that in the second meeting, when we go out there we can bring the media, we can bring our State Representatives and State Senator and the appropriate department directors.

Mr. Regan:

I'd like to thank Councilman Coyne for taking us out there to view this scene. I feel it's an emergency situation and I think that we have to take immediate action. I'd say next week, if we could get the Senator and Legislator from that district, plus the different bodies that are involved with financing the roads out there because it's a sad situation out there. I think it's an emergency situation and I think it should be dealt with immediately.

The Chair:

I agree with my colleagues, particularly Mr. Coyne. Unfortunately, the State reconstructed a portion of Streets Run Road which becomes Baldwin Road, and they stopped right at the City line. In other words, they were concerned about the municipality south of the City, but as soon as they hit the City line they stopped their project.

I really think the most significant portion of that project belongs to the State in terms of responsibility for a retaining wall and guardrail, particularly where that wall exists. But I also agree with all of you that Calera Street, from Baldwin Road to Corley Street, needs a guardrail immediately and that should be done by the City Public Works Department.

In addition to that, we should be cleaning the stream with whatever resources we have available to at least remove debris from the stream.

So, I would appreciate if the City Clerk would inform the Public Works Department of those two tasks; cleaning of the stream and also some type of a barrier on Calera Street between Baldwin Road and Corley Street.

Also, I think a formal notification should be made to the appropriate State Department that a retaining wall and a guardrail needs to be constructed along Baldwin Road, which is a State road, and that the appropriate elected officials, State elected officials, be notified also.

Mr. Coyne moved to approve the Minutes of Tuesday, March 6, 1990.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of Mr. Ricciardi

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Tuesday, April 3, 1990

No. 14

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, April 3, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning. Could I please have the members from the Students Against Racism

come up here, please? I'm very happy to read the following resolution.

Mr. Cohen presents

No. 577 WHEREAS, Students Against Racism, known as ST.A.R., was founded with a meeting of a few concerned students at the University of Pittsburgh on January 1, 1990, and already has grown to a membership of almost sixty members; and

WHEREAS, the main goal of Students Against Racism is to end as much racial prejudice and tension between races as possible, and to educate the community to the causes and effects of racism; and

WHEREAS, ST.A.R. has begun a project to erase racism and ethnic graffiti and is presently organizing a symposium on the causes, effects and solutions to racial insensitivity at the University of Pittsburgh; and

WHEREAS, ST.A.R. understands that a tolerant and enlightened environment begins with education at a young age, and is currently working with area public schools to challenge students to examine their attitudes and perceptions, and to help them to recognize the great virtues of a tolerant and culturally diverse community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Students Against Racism on their commitment to combating bigotry and promoting an environment of understanding in

our schools and the City of Pittsburgh. They give us hope for the future.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, President and members of Council. I'd like to introduce four members of the Students Against Racism, Matt Sipple who is the President and Founder; Luigi Giovanni who is the Chair of the Planning Sub-Committee; Lara Cook who is the Chair of Public Relations; and Rome Fuqua who is the Chair of Advertising.

Mr. Sipple:

Thank you. I'd like to just share with you a couple of occurrences which I witnessed this fall in Pittsburgh.

A blind man sits on the corner of Forbes and Atwood with a cup in his hand and a radio on his lap. He rises to leave and accidentally bumps into a woman dressed in a business suit, sending his radio smashed onto the pavement.

"Why don't you watch where you're going, nigger?" she yells.

He grabs her arm and asks desperately, "Where is my radio? Is it broken?"

She kicks him hard in the shins sending him to the ground with a cry of pain. "Don't you touch me."

Just then an officer appears and quickly hoists the man up on his feet. "Alright, sir, let's take a walk. Ma'am, do you wish to file any

charges?"

"Um, no Officer. I'm just glad you got here when you did."

Another instance:

It's about 12:30 on a Saturday night when a small group of friends walks south on Forbes Avenue on their way back from a party. Another group of friends walk north on Forbes. As the two groups approach each other, a silence settles in each group. They keep walking towards each other, neither stepping aside, until finally they collide in a loud frenzy.

They start to yell racial obscenities at each other while at the same time punch, kick and wrestle. Some go to the ground to carry out their battle while others prefer to stand. One or two do all the fighting they're going to do as they fall unconscious to the pavement. One looks as if he would like to fall, but he can't for he is being held up by one foe as another beats his stomach and face repeatedly.

Why do these groups fight? What makes them act so violently without even exchanging so much as a word?

Why does a White woman who bumps into a Black man assume that he is trying to harm her or steal her purse? Why does she not admit that she is wrong upon realizing her mistake, the man's situation and his innocent intentions?

These are only a few out of the many questions which I wish I knew the answers to. These are only two of hundreds of racially based incidents which occur in Pittsburgh and all over the country every year. And these two incidents are considered just "minor ones" in the eyes of many.

I founded ST.A.R. in the hopes that it

would eventually become a group that can make a difference, a group that can help to educate people about the ignorance of racism, a group that can bring people of different races and cultures together in a better understanding of each other. We, as a school, we as a City, and we as a Country, have so many important issues to deal with and problems to solve today, yet we cannot even treat each other as equal human beings. How are we going to solve problems such as homelessness and the many ecological difficulties that we face when we cannot even communicate with one another because of our biases.

ST.A.R. wants to show people our similarities and differences and help them to discern what is important and what is not. We want to help them see how stupid and useless it is to hate because of color, physical differences, and foreign beliefs. We want to show people and make them realize that this only holds back our society. We would like to bring people together to learn more about our similarities and to dismiss their fears about one another. By doing these things, we hope to achieve our goal to keep racism in check, to educate people about racism, and to end it wherever we can. Thank you.

Mr. Giovanni:

A university can be evaluated from several standpoints; academic curriculum, the quality of the faculty, the social infra-structure including all services. Still, if a school is unable to create cohesion, unity among its students, then a central component of education is lacking.

University graduates create the basis for a large part of the leadership of the future. University graduates will not only apply their knowledge to the field they will eventually be involved in, they will also, out of necessity, influence the community with the values, whatever they may be.

If a student, while growing intellectually, does not develop an understanding of the differences between cultures, ethnic groups and races within the community, she will probably not develop an understanding of segregation later on the working place.

Segregation and racism are among the most compelling and complex problems in our society. They are the result of historical developments, social attitudes, and to great extent, social economic disparities between the differences in the population.

At ST.A.R., we acknowledge the complexity of the problem and we realize that no individual group alone can help to eliminate segregation or racism. Nevertheless, as a group of very committed students, we can make a difference. We can influence University policy. We can influence the community.

As Chairman of the Planning Committee and Coordinator of the upcoming symposium on racism and segregation, I take pride in that commitment and hope that our efforts will be beneficial to all.

Ms. Cook:

Contrary to popular belief, racism exists and it exists everywhere. It even exists in this community which, I feel, is very race and color conscious.

I came here nine years ago from France and what I see around me appalls me. I never thought I'd see anything like this in this country. However, it is here and it is on the rise.

I have a personal problem understanding the racial tensions and segregation which are a fact of life in our university, this community and this country. There must be a way to fight

racism and it starts with the children.

As a member of ST.A.R., I want to do my best to help develop ways of educating the community to fight racism.

As head of ST.A.R.'s Public Relations Committee, I urge those individuals and organizations with similar concerns to contact us and work with us to develop successful anti-racist programs in our community. One of our greatest hopes is to gain the support and recognition from the many organizations at Pitt, the University's governing body, students, professors, as well as the community at large.

We are reaching out to you to help us in our fight against racism. Please help us.

Mr. Fuqua:

The reason I decided to become involved with ST.A.R. is one that is totally on personal experiences. Being affiliated with ST.A.R., I get the opportunity to communicate with other nationalities verbally, mentally emotionally, and sometimes physically, but not physical as a belligerent act of violence.

Being the head of Advertising, I get the opportunity to display my skills and artistic ability for the purpose of educating others about the ignorance of racism.

I'm not going to go into the feelings of a Black man living in an unbalanced society. We are more educated than that. That's not what God had in mind when he created this world. He gave it to us, the people. Us as one, not as individuals, not to one race.

Being a senior at the University of Pittsburgh, I accomplish a lot in my life. But there has been many obstacles in my past which have kept me from achieving some of the goals that I

wish I had. This obstacle has great strength.

People say this obstacle's strength has diminished a great deal; I must agree that it has. But no matter how small this obstacle gets, as long as it is still standing, it's a menace. It's called racism.

I've had many bouts with this menace in life, and I probably will for the rest of my life. But if I can educate myself more and help others in struggling to rid this ignorance, that's exactly the problem which is ignoring racial issues.

Saying that racism doesn't exist any more - I fear this attitude amongst the people that follow this way of living. The fear is racism not being visible. I'd rather see it, hear it and deal with it than people who are racist and do not display it.

There's nothing I can do about what happened in the past with racial incidents. I'm a part of ST.A.R. to deal with the racial issues of tomorrow. I'm an individual who refuses to dwell on yesterday, the past. I'm living for tomorrow, the future.

I am one who will fight for equality for all nationalities. I am one who will try to help others who wish to know more about racism.

I understand that I am learning about racism myself and I know there is much I don't know. I'm in this organization to educate and to be educated, first. Then I will be there for those who wish to be a part of the goal to rid racism.

Being a part of ST.A.R. I feel good knowing that there are people out there who do care about tomorrow, our future. Thank you.

The Chair:

Thank you all very much.

Mr. Cohen:

I have one other resolution to read today. If I could have Celeste Barron and Barbara Ackerman from Friends Indeed come up, please.

Mr. Cohen presents

No. 578 WHEREAS, the Friends Indeed Volunteer Project was established in 1975 to help Allegheny County girls leaving the Waynesburg Youth Development Center make a successful transition from institutional to community life; and

WHEREAS, Friends Indeed matches teenagers on probation in Allegheny County with caring, responsible volunteers who provide individual attention to help them cope with educational, employment, social and personal problems; and

WHEREAS, Friends Indeed was established by the Pittsburgh Section of the National Council of Jewish Women in 1975, and works in cooperation with the Allegheny County Juvenile Court and the Children and Youth Services to help troubled young people; and

WHEREAS, Friends Indeed gives 14 to 18 year old offenders the opportunity to do volunteer work near their homes in order to make restitution to the community and gain positive work experience, basic job skills, and interpersonal skills to help them in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Friends Indeed on their 15th Anniversary for their valuable contributions to the Pittsburgh community and wish them continued success in helping shape the futures of our troubled youth.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I know that there are other members of Council, particularly Jim Ferlo, who have worked with Friends Indeed, and I want to introduce Barbara Ackerman and Celeste Barron. It's a pleasure to have them here. They are both leaders of the community.

Ms. Ackerman:

I'd like to thank you very much. I want to thank Dan Cohen and City Council for recognizing Friends Indeed today, and I want to thank the National Council of Jewish Women for sponsoring this agency which does give a very much needed service to troubled youth in the Pittsburgh Community.

We offer our services to children who come to us through the Juvenile Court and other agencies and we are happy to be here today so that you'll know more about us.

If anyone is interested in being a volunteer for our agency, you may call Friends Indeed at 421-1840.

Thank you very much.

The Chair:

Thank you all.

Mr. Darkins presents

No. 579 WHEREAS, the United States Congress created Fair Housing as part of this na-

tion's Civil Rights Law twenty-two years ago; and

WHEREAS, the Commission on Human Relations of the City of Pittsburgh had established the Fair Housing Program as an integral part of the Commission long before passage by the U.S. Congress; and

WHEREAS, the excellence of the fruition of the Fair Housing Program of the City of Pittsburgh can be easily recognized for the purpose for which it was created; and

WHEREAS, we salute former Director John Gabriel, Chairperson Pinkie Reed and the entire Commission for maintaining and preserving the principles of Fair Housing Laws.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby proclaims the month of April as "Fair Housing Month" in the City of Pittsburgh to commemorate the 22nd Anniversary of National Fair Housing Legislation enacted by the U.S. Congress.

Mr. Darkins moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Ms. Reed:

Mr. Wagner, President of City Council, Bishop Duane Darkins, sponsor of the resolution, esteemed Members of City Council, good morning.

The Fair Housing Ordinance was passed in December, 1958 and the effective date of enforcement was June 1, 1959.

Every citizen in Pittsburgh comes under

at least one of the protective classes covered in the City Code. Anyone alledging discrimination in housing may file a complaint with the Commission.

Within the last year we have taken complaints from a Black woman and her daughter who were denied the opportunity to rent a luxury apartment in the Oakland/Shadyside area.

Another case involved a White woman who was subjected to an eviction because she was married to a Black man.

We have also taken complaints and resolved them involving handicapped persons on the North Side and a man of Hispanic descent living Downtown.

As you can see, our Code is enforceable in every section of the City. We ask you to join with us and support us in our enforcement laws which prohibit discrimination in housing in the City of Pittsburgh.

Thank you.

Mr. Parker:

Good morning. This is the 22nd anniversary of fair housing laws on the national level, but I think as Pittsburghers we should be proud of the fact that we recognized the need for fair housing some ten years before that. I think as elected officials you can be proud of the fact that you adhere to a policy of zero tolerance when it comes to racial bigotry and prejudice in this City.

On behalf of the staff and Acting Director LaVerne Wheeler, we thank you and we ask your continued support in this effort.

Thank you very much.

The Chair:

Thank you.

Mr. Ferlo:

I'd like the representatives of the Vintage Grand Prix to come forward, John Walko and Don Brown and others, the representatives here from the Autism Society and the Allegheny Valley School.

Mr. Ferlo presents

No. 580 WHEREAS, the first Pittsburgh Vintage Grand Prix was held in Schenley Park in 1983 as a one-day event; and

WHEREAS, since 1983, the Pittsburgh Vintage Grand Prix has grown to a full week of vintage related activities beginning with a Kick-Off Rally, and continuing with pre-race gatherings and local displays, all of which build up to the main event, the vintage car races on Race Day; and

WHEREAS, the Pittsburgh Vintage Grand Prix has attracted the largest crowds to attend a vintage event anywhere in the country with the 1989 Grand Prix attracting more than 60,000 spectators to Schenley Park; and

WHEREAS, the Pittsburgh Vintage Grand Prix is co-sponsored and produced by the City of Pittsburgh, Allegheny County, and the all-volunteer Pittsburgh Vintage Grand Prix Association which can boast of more than 1,000 volunteers; and

WHEREAS, the Pittsburgh Vintage Grand Prix would not be possible without the voluntary contributions of Allegheny County Sheriff Eugene L. Coon, Allegheny County Director of Special Services and Maintenance Operations, Joseph P. Moses, and Joseph B. Natoli,

Director of Parks, Recreation and Conservation, Allegheny County; and

WHEREAS, from its inception, the Pittsburgh Vintage Grand Prix has been a fundraiser for two outstanding local charities, the Allegheny Valley School, a residential care facility for physically and mentally handicapped of all ages, and the Autism Society of Pittsburgh, serving Autistic children and their families in Southwestern Pennsylvania; and

WHEREAS, in 1989, the Pittsburgh Vintage Grand Prix contributed \$75,000 to these charities with each receiving \$37,500 to continue their important charitable work; and

WHEREAS, the 1990 Pittsburgh Vintage Grand Prix will kick-off on July 15th, and the vintage activities will continue through the week and culminate with Race Day on July 22nd.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the week of July 16, 1990 as Pittsburgh Vintage Grand Prix Week in the City in honor of the Pittsburgh Vintage Grand Prix which serves as a model for voluntary, private sponsorship of events for the primary benefit of charitable endeavors; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh salutes the Vintage Grand Prix Association, the City of Pittsburgh, Allegheny County, the volunteers and the sponsors of the event, for the production of one of the most successful events in our City, and their generous contributions to two important local charities.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. I think with all the controversy of late on the issue of the recovery costs, I think it's important that we try to bring home the central issue here, and that is how important and tremendous this event is and bring back the human element to this event. And I hope that that will guide any negotiations and discussions over the next few weeks.

This organization, unlike some of the other mega-events that are held, specifically is volunteer in nature and raises a tremendous amount of money for two very, very important organizations who are in dire need of this financial assistance. So, I think today we're recognizing that important contribution.

At this time, I'd like to ask John Walko who is the spokesperson for the Vintage Grand Prix to speak, say a few words, and introduce some of the other representatives from the school, from the Autism Society, and some of the other important volunteers.

Mr. Walko:

Thank you very much, Councilman Ferlo. On behalf of the Pittsburgh Vintage Grand Prix Association and the 1,100 volunteers that help produce this event, I'd like to address President of Council, Mr. Wagner, and the esteemed Councilpeople here.

I, myself, am here for my own personal reasons that stem from the fact that I have three children that are blessed with all of their faculties. I get up in the morning myself; I'm able to do so on my own. I get to do things with my own free will as far as going through the motions of managing my work and my involvement here with the Pittsburgh Vintage Grand Prix.

There are people around us that were not so blessed, and it's because of that I feel it's a worthwhile thing that we do with our event to try to make the lives of those people somewhat easier.

The parents of people that are less fortunate than ourselves, and I'm talking about people like Todd here, and Andrea over here, and the Eddie Toriskys of the world, that parents have crosses to bear that some of us can only imagine what are like.

As we sit here again, esteemed Councilpeople that you are, you've been honored by the voters who elected you to be here. You're in a privileged position. I'm glad to be able to address you and I hope you're as glad to be able to be sitting here being addressed.

With that, I'd like to recognize people that have worked and are part of our event starting with Micky Coleman from Allegheny Valley School. Micky, would you come up please?

Ms. Coleman:

Allegheny Valley School is in its 30th year of operation with our original facility, the Patricia Hillman Miller Campus being located in the 28th Ward of the City of Pittsburgh.

Allegheny Valley School has been a part of the Pittsburgh Vintage Grand Prix since its inception in 1983. It has been an exciting and beneficial event that our parents, staff and residents have participated in.

With regard to the direct benefit to the Allegheny Valley School, we specifically have used monies from the Pittsburgh Vintage Grand Prix to purchase some specialized equipment that our residents need. Some specific examples are the purchase and maintenance of over 250

motorized and manual wheelchairs, shower chairs for our adaptive aquatic program, electronic communication devices and tilt tables. This only cites a few examples.

It is our responsibility as a provider to find the money to purchase this equipment and the Pittsburgh Vintage Grand Prix has been a significant avenue to enable us to do so. Thank you.

Mr. Walko:

The programs at Allegheny Valley School has embarked on and done so successfully has been recognized by the people in Harrisburg and, as we speak, the Administrators of the school here have taken over a similar facility in Philadelphia that is intended to flounder. So, we must recognize the staff, people like Micky and Clare Weaver here, for the excellent job they're doing.

Dan Torisky from the Autism Society of Pittsburgh will say a few words.

Mr. Torisky:

I'm one of those people that wouldn't be here today if it wasn't for my handicapped son, Eddie, who is 33. He's at Western Center in Cannonsburg. He's home on weekends and he has a job in a print shop.

As you know from the movie "Rain Man", Eddie is one of those. His skills are in machinery, with sewing machings and things like that. He's non-communicative in a lot of ways. I have a different life because of him.

As "Rain Man" focused autism nationwide, the Pittsburgh Vintage Grand Prix has focused autism in Pittsburgh where we people who have autistic kids come to lick our wounds and then go out and do battle with the various people

we have to fight with all over this corner of the State.

Our Autism Society is all volunteer and I have a list of some of the things that we've used the money from the Grand Prix for, where you all in the City of Pittsburgh, all of us in the Greater Pittsburgh area, get a big bang for the buck. Because of the \$180,000 over the last 7 years total accumulated that has come to our Society, we've been able to establish the first and only in the Commonwealth teacher training program for teachers of autistic and severely communications disordered individuals at Duquesne University. We provide liaison with all the universities with library packets of information on this disabling disorder. We've been able to rehabilitate some people to the point where their living skills enable them to live in group homes.

We've founded group homes and we've provided the first battle on the "Just Say No To Drugs", not the kind of drugs that are cocaine and things like that, but the kind of drugs that are given to our kids by lazy professionals who would rather have them zombies rather than give them the care they need. Pittsburgh has been in the forefront of trying to fight this "Just Say No" battle, this legal drug abuse.

We've also established a library at the University of Pittsburgh with the Grand Prix money.

We provide babysitting. Many of us parents don't go out for maybe 20 years, but what we've been able to do with Grand Prix money is set up grants for a couple local organizations that provide monitored bonded babysitters from the universities to enable parents to get a break to go to a movie or a weekend.

We publish a journal and newsletter. We send packets out regularly to the local universities and we, above all, advocate for autistic people.

ple, no matter where they are, in an institution, in a group home, from birth to death.

Last but not least, I have to say after hearing the racial discussions earlier, that we are an unfortunate minority too, and we don't have a color. Our kids can't talk unless we put the signs in their hands, and that's why we're here. And I bless the fact that I'm among these people from the Pittsburgh Vintage Grand Prix; they're the best people I know in this town. Thank you.

Mr. Walko:

Of the many people that support our programs and help make this possible, Allegheny County is an entity that sometimes is not recognized as made up of people much like ourselves. Representing Sheriff Gene Coon and the Sheriff's Department, Jim Rizzo.

Mr. Rizzo:

Good morning, City Council. On behalf of Sheriff Gene Coon and Chief John McNamara, the Allegheny County Sheriff's Office, along with the Sheriff's Auxilliary Reserve, want you to know that the main cause behind this event makes it that much more special. The Vintage Grand Prix just reinforces the fact that Pittsburgh is truly a Number One City to live in. Thank you very much.

Mr. Walko:

The Secretary of our organization and, coincidentally, one of the originators of this very idea is Mary Beth Gmitter. Would you please come up?

Ms. Gmitter:

A little over eight years ago, I, along with a friend of mine, originated the Pittsburgh Vintage Grand Prix. We approached Director

Brown, told her of our idea to host a Vintage Grand Prix in the park. After her initial reaction was a little bit of shock at what we wanted to do in the park, she did agree that this might be a thing that was good, not only for our charities but also for the City.

With the backing of Richard Caliguiri, we were able to put this race on in 1983. Since then, we have had a race every year. We are going into our eighth year. We have increased our donation to the charities each year.

We are, as John said, all volunteers. I have a job for which I get paid, otherwise my children would not be able to be going to school right now.

The Grand Prix has meant a lot to me because of our tie-in with the charities. It is such a good feeling at the end of the year when we present those checks to the charities and we know of what benefit it can be to them, that words can't even tell you how good you feel inside.

Not only has it been good for the charities, but it has also been good for the City. It has become a recognizable event in this City all around the country. I do go to races around the country and people at other races talk about Pittsburgh. It has been a big boom to our City around the country to other people who think that this is really something great that the City of Pittsburgh does for charity. They do that along with us. We are co-producers of this event.

I thank the City for allowing us to have this event, to host this event, and to be able to raise money for charity. I hope that we can continue to do it and to continue to increase the donation that we make to the Allegheny Valley School and the Autism Society each year. Thank you.

Mr. Walko:

As the event has developed, some people became interested as volunteers and got to appreciate some of the things that we're working for. To take it a level beyond, some of them have also gone and encouraged some sponsorships.

I'd like to recognize John Gloniger. John, would you please come up and let the people know who you're with and why you're with the event.

Mr. Gloniger:

Good morning. I've not only been a volunteer for the last seven years of the Vintage Grand Prix but I've talked my company into becoming a full sponsor. They've been so happy with that that they've committed to do it every year from now on in. They feel it's a very important event, a very fun event for that matter, and the company, All Metro Cellular, is very happy to be involved with this. Thank you.

Mr. Walko:

Mr. Don Brown, Executive Sales Representative for Patrick Media. Don Brown happens to be our official starter. He's the guy that waves the flag to tell the cars when to go.

Mr. Brown:

I want to thank City Council, I want to thank the City of Pittsburgh and Allegheny County, for allowing us to play in their park and having a great time. We're looking for a great eighth year. Thank you again.

Mr. Walko:

Todd, would you like to add something to this?

Todd:

Without the Vintage Grand Prix I would not be able to have my electric wheelchair that I have now and be able to get around just like you. That's all I would like to say.

Mr. Walko:

Thanks, Todd.

Mr. Ferlo:

Thank you, Members of Council. Again, I point out that today is the day for recognition of the contributions and the voluntary efforts. It's not a day to debate the public policy that will be debated through the legislation I'll be submitting next week. I'll only ask that as we think about this issue and we prepare for that discussion, we walk a mile in their shoes. Thank you.

The Chair:

Thank you all.

Michelle Madoff:

Kerry Stoner, Brad Gardner, it gives me great pleasure to, once again, have a resolution that I think is very important in light of the young man that is dying in the hospital right now, a hemophiliac who was denied the right to go to school. We might want to touch on that.

Michelle Madoff presents

No. 581 WHEREAS, the Pittsburgh AIDS Task Force, which celebrates its fifth anniversary this March, is an organization of effective and compassionate volunteers and staff who provide social, practical and emotional support to people living with AIDS and HIV infection and work to educate the community and to prevent the further spread of HIV infection;

and

WHEREAS, on April 4, 1990, the Pittsburgh Public Theater will present this year's performance "Burn This", starring Pittsburgh's own Helena Ruoti, for the benefit of the Pittsburgh AIDS Task Force as a means of obtaining much needed funds, increasing awareness of the agency and raising consciousness about this disease awaiting a cure; and

WHEREAS, this year marks the fourth consecutive year that the Pittsburgh Public Theater has conducted an event benefiting the Pittsburgh AIDS Task Force; and

WHEREAS, this event serves to reinforce the goals of the Pittsburgh AIDS Task Force and will help to keep alive the hope and unwavering determination of its volunteers who provide vital AIDS-related services and education programs to the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of April 1 through April 7, 1990 as Aids Awareness Week in the City of Pittsburgh and expresses its sincere gratitude to the Pittsburgh Public Theater, its Producing Director William Gardner and the Pittsburgh AIDS Task Force for this extremely important event.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Stoner:

Thank you, Mr. President and Members of City Council, and Councilwoman Madoff. I want to thank you. This is the fourth year that

I've had the privilege and the opportunity of coming to accept a resolution in conjunction with what has now become an annual fundraiser and our most important fundraiser throughout the course of our year.

We are a non-profit human service agency and five years ago we were simply 18 volunteers who have built an organization through the steps of grass roots organizing, bringing the message and information about this disease, HIV disease and AIDS to the City of Pittsburgh, to the residents of Pittsburgh who are at risk for AIDS, to residents and families living with people with AIDS and to the corporate and educational and scientific community.

Today, we have moved from 18 volunteers to over 541 volunteers. Last year in Pittsburgh we provided support service to over 300 people living with AIDS and HIV disease in metropolitan Pittsburgh. Within a few months, metropolitan Pittsburgh will record its 500th case of diagnosed AIDS in the Greater Pittsburgh area. In addition, there are currently thousands of people living with HIV disease that can lead to AIDS.

Our work will go on, unfortunately, long into the next decade. A cure is still quite some time away.

I'm very proud of the Pittsburgh AIDS Task Force and our volunteers because we've also been able to change and respond to this changing epidemic. In addition to providing support to the first group of people diagnosed with AIDS in Pittsburgh, namely gay men, we have also continued to involve our services and now provide support to women, to adolescents.

Through expanded support and contracts with the State Department of Health, through Harrisburg, we have now just launched a program to deal with substance abuse and HIV

infection in 11 counties of Southwestern Pennsylvania and to target our kids who are at highest risk, kids who are in the juvenile justice system, runaway kids who are already troubled and experimenting with drugs and sexually active.

So, I'm pleased that our work has been able to move forward and expand.

I'm also very grateful for the support of the Pittsburgh Public Theater and Bill Gardner and all of his staff who every year give us this performance as a zero budget benefit for the Pittsburgh AIDS Task Force and for the people of this City, including this City's corporate and foundation community which this year will provide substantial support through this benefit and underwriting of contributions.

I've asked one of our volunteers to come with me today, Brad Gardner has been a volunteer on our Speakers' Bureau. As such, Brad is an educator on the issue of AIDS. Brad speaks to a variety of audiences whether they're in a church setting or a corporate setting like yesterday morning for employees at Alcoa.

Brad brings a special message to people in that his words cannot be challenged when he shares with the people his experience as a person living with AIDS, as an active volunteer and a member of the City who continues, in spite of his illness, to give back to the residents of the City of Pittsburgh, to his Church and to his family and to all of us.

I'd like to introduce Brad Gardner.

Mr. Gardner:

Good morning. I'm Brad Gardner and I am a person living with AIDS. I have had the disease actively since February of 1988.

I'd like to thank Michelle Madoff and the

City Council for adopting this resolution today. It gives me great hope and I certainly speak on behalf of all the other people living with AIDS in this community, their families, their friends, and their supporters, that Pittsburgh will continue to provide compassionate and loving care to those of us who are afflicted with this insidious disease.

Thank you very much.

The Chair:

Thank you all.

Mr. Milliones:

Would Molly Rush come forward, please?

Mr. Milliones presents

No. 582 WHEREAS, Molly Rush, a Pittsburgh mother of six, grandmother of five, co-founder of the Thomas Merton Center since 1973, is recognized as one of the pioneers and heroes of our modern age who denied part of her own culture, in order to oppose nuclear war; and

WHEREAS, Molly Rush set aside considerations of her own personal safety and comfort, the immediate needs of her family, in order to service the higher needs of humanity as a whole; and

WHEREAS, Molly Rush has not harmed anybody, constitutes no threat to anybody, for clearly her actions were symbolic rather than substantive; and

WHEREAS, Molly Rush and her friends, commonly known as the Plowshares Eight, were arrested and later convicted; and

WHEREAS, Molly Rush and her friends

return to court for re-sentencing after nine years of appealing to the courts to act as protector of the life of the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Molly Rush as a true hero of our time, resisting nonviolently the onslaught of nuclearism, accepting prison as an expression of love for her children and her country, and the Council of the City of Pittsburgh also calls upon the judicial system to decide that further punishment of Molly Rush for her acts of conscience and commitment would serve no constructive purpose.

Mr. Milliones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Milliones:

I certainly am pleased to be able to read this resolution today and I thank my fellow Councilmembers for supporting it.

Molly Rush is certainly a hero of mine. She stands for commitment to civil rights, peace and justice. I'm sure that not only is she a role model for me but for many young people and other not so young people throughout this City.

Ms. Rush:

I very much appreciate this, not only on my own behalf but on behalf of the thousands of people in the area who work in a quiet, on-going way for peace and justice, who very frequently, because the work is peace work, don't find themselves being recognized or given this kind of appreciation. So, I can only accept it on their behalf.

I also just wanted to mention that today it was very moving to sit here and listen to all the people who got Council's recognition this morning, people whose work on behalf of fighting racism and promoting fair housing, dealing with the problems of youth and of AIDS and of the handicapped, all of these being part of the struggle, I think, to say that the direction our country has taken has been to put greater and greater pressures on the volunteer communities to really meet the pressing needs of our cities that have been denied by the fact of our federal priorities. It's very hard sometimes to look at federal priorities and talk about hundreds of billions of dollars.

I was sort of thinking in contrast to the fire storm that has been created about the City district offices for \$5,000 for an office. That maybe comes to about 15 cents per person if you think about \$45,000 for 300,000 residents. That's sort of a rough estimate.

I just wanted to give every Councilmember a copy of a report that has been done called "Bankrupting America". It's based on the 1987 federal budget and it points out that Pennsylvania residents paid out a total of \$14 billion in 1987 to the Pentagon, of which only less than \$6.5 billion came back into the state in the form of federal contracts. A real balanced deficit of \$7 billion plus.

This breaks down by Congressional district in this study and I want Councilpeople to particularly note page 8 of this study which looks at the local Congressional districts and it puts it in terms of what families are paying which I think makes very clear what I'm talking about.

In the Congressional district which Representative Coyne represents, in 1987 that means that every family suffered a net loss of \$1,894 in Congressional federal spending for

the military that did not come back to Pennsylvania.

It averages out in Walgren's Congressional district of \$2,637 and in Representative Gaydo's district of \$2,393 per family.

So, I think it's very important that as we look at the federal budget efforts that are happening this year, in a year when our supposed enemy has pretty much faded away, in a year in which we're continuing to be asked to spend almost \$150 billion to defend Europe against an enemy that is pretty much not there, and in a year in which President Bush has asked for an increase in the military of \$6 billion and a cut in domestic programs of \$30 billion, I think it's incumbent upon City Council to take an active role, both in lobbying for a shift in those priorities, something on the order of what the Congressional Black Caucus has proposed.

Also, I think you're in a position to mobilize public support, to say that we need a shift in priorities, we need that money here in our community, we need a peace dividend in Pittsburgh.

So, I'm very happy that Jake has given me the opportunity to present these books to you and to let you look at this information and to apply it to our City life here and say, "We have to do something about it."

Thank you.

Michelle Madoff:

You've been on my mind the last couple of days a great deal. Did you have any role in Mobay not selling the chemicals so that we don't have chemical warfare? I figured you got to somebody there. Good show.

Ms. Rush:

I can't take any personal credit for that. It's the kind of thing we've been urging Westinghouse to do in terms of taking an initiative to refuse federal contracts on dangerous weaponry and to try to get contracts that will be more meaningful to our community. So, we do support that statement and action by Mobay.

Mr. Ferlo:

I've known Molly for about 20 years. I've been working with her for a long time and I'm very honored that she's here today to be honored.

I think what she's saying is very clear and very poignant and that is that many of us for 20 years have been talking about shifting the priorities and a peace dividend, but we've never been politically in the position that we are today in terms of the major shift and international relations. Nowhere can this be a more crucial issue than local government. Now is the time for local government, especially the City of Pittsburgh, to be speaking to members of the Congress and to the President on the issue of the peace dividend. We only need to look at our crumbling infrastructure and the need to build a peacetime economy for productive jobs. I think we need to do that now. We've been given the opportunity given the events throughout the world.

So, I really applaud Molly for being here today, for her work, and I hope that we'll send a copy of this proclamation to the State judge. I don't want to see Molly in jail. I want her out here working for the kinds of agenda that I think we all care about.

The Chair:

Thank you.

Mr. Cohen presented

No. 555 Resolution providing for the issuance of a warrant in favor of D & L Plumbing Inc. in the amount of \$9,233.04 in payment for an Emergency Contract to install plumbing modifications to the McKinley Park Service Building, payable from Code Account EC 89-54.

(PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 556 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Boom Mower at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account 1612-2 Equipment.

Which was read and referred to the Committee on Public Works.

Also,

No. 557 Resolution providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on April 23, 1990, in support of House Bill 700, The Medicare Overcharge Measure (MOM), at a cost not to exceed \$1,500.00, payable from Code Account 1001-1 (100115), Misc. Services, Supplies and Equipment.

---(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 558 Resolution authorizing the URA of Pgh. to acquire that property in the 11th Ward of the City of Pittsburgh owned by Deneen Kelly, and designated as Block and Lot 83J-64 (229 N. Fairmount Avenue), in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary and incidental expenses, under the residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (COUNCIL DISTRICT NO. 9)

Also,

No. 559 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Garfield Jubilee Corporation for the sale of Block 83J Lot 64 (229 N. Fairmount Avenue), for \$4,000.00, in the 11th Ward of the City of Pittsburgh. The redeveloper plans to rehabilitate the existing residential structure of this lot. The lot contains approx. 3,700 square feet. The redeveloper is a non-profit corporation dedicated to improving the quality of life for Garfield residents through a variety of programs. Their office is located at 5138 Penn Avenue, Pgh., PA 15224. The officers are: Joanne Monroe, Chairperson; Garland Walker, Secretary; and William K. Foster, Executive Director. (COUNCIL DISTRICT NO. 9)

Also,

No. 560 Resolution authorizing the URA of Pgh. to acquire that property in the 14th

Ward of the City of Pittsburgh owned by Henry Russell, Jr. and Howard E. Watts, Jr., and designated as Block and Lot 175P-19 (209 East End Avenue), in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pgh. This property is being acquired for resale to a redeveloper for an off-street parking area. (COUNCIL DISTRICT NO.9)

Also,

No. 561 Resolution approving execution of a Contract or Disposition of Land by and between the URA of Pgh. and Montaque R. Cooke for the sale of Block 175P Lot 19 (209 East End Avenue), for \$1,600.00, in the 14th Ward of the City of Pgh. The redeveloper plans to use this lot as an off-street parking area. The lot contains approx. 5,400 square feet. The redeveloper's address is 210 East End Avenue, Pgh., PA 15221. (COUNCIL DISTRICT NO. 9)

Also,

No. 562 Resolution authorizing the URA of Pgh. to acquire that property in the 22nd Ward of the City of Pgh. owned by Beatrice Nelson Lewis and Mary Alexandra Ellis, and designated as Block and Lot 23K-210 (1314 Sherman Avenue), in the Deed Registry Office of Allegheny County, for the Fair Market Value plus all necessary expenses, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pgh. This property is being acquired for resale to a redeveloper for residential rehab. (COUNCIL DISTRICT NO. 6)

Also,

No. 563 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Thomas W. and Marjorie A. Armstrong for the sale of Block 23K Lot 210 (1314 Sherman Avenue), for \$6,000.00, in the 22nd Ward of the City of Pgh. The redevelopers plan to rehabilitate the existing residential structure on this lot. The lot contains approx. 1,000 square feet. The redeveloper's address is 1212 Resaca Place, Pgh., PA 15212. (COUNCIL DISTRICT NO. 6)

Also,

No. 564 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Helen K. Rauch for the sale of Parcel A for \$300.00, in the 27th Ward of the City of Pgh. in Redevelopment Area No. 35 -- Northgate Project. Parcel A is a small landlocked piece of property to the rear of the redeveloper's house which is located at 1144 West Point Avenue. It contains approx. 2,735 square feet and was created by subdivision to adjust the lot lines. (COUNCIL DISTRICT NO. 1)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 565 Resolution directing the City Solicitor to prepare the necessary legislation addressing the following matters: Legislation recommending changes in the process by which the City does business under Section 1, Chapter 161, Contracts.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 566 Resolution providing for the issuance of a \$1,208.72 warrant in favor of Ausbury Elliott in settlement of claim for automobile damage on the Smithfield Bridge by a Department of Parks and Recreation vehicle on December 14, 1989, chargeable to and payable from Code Account No. 46, Judgments.

Also,

No. 567 Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh for outside legal counsel, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1075, Misc. Services, Dept. of Law.

Also,

No. 568 Resolution amending Res. No. 606, Item J, eff. July 29, 1988, which authorized the sale of a vacant lot, 75' x 160.17', Block 32E, Lot pt. 293 and a vacant lot 17.07' x 161' x 50.1' rr. Block 32E, Lot 295, located at St. Lucas Street, A/K/A Horn Street, Mt. Oliver Borough, to Thomas J. Friend and Dolores J. Friend, his wife, for the sum of \$1,000.00. The reason for about amendment is to delete the name of Dolores J. Friend, his wife, as she has since died. It was discovered through the title search that this property was not acquired from the proper owners. It will be necessary to process this sale through the Act of 1937 instead of the Treasurer Sale Act of 1984.

Also,

No. 569 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pgh., acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 570 An Ordinance amending the Pittsburgh Code, Title II Fiscal, Article I, Administrative, Chapter 201, Registration of Tenants, by clarifying who must file and due dates.

Which were severally read and referred to the Committee on Finance.

UNFINISHED BUSINESS

The Chair:

At this time I'd like to entertain a motion to re-appoint Michael Perry to the position of City Clerk and Linda Johnson-Wasler to the position of Assistant City Clerk.

Michelle Madoff:

So moved.

Mr. Darkins seconded the motion.

The Chair:

Prior to the vote, I simply want to state that I think both Michael and Linda have done a very good job, especially during the transitional period of Council from at large elections to district elections and accommodating all Councilmembers with all the re-arrangement of offices, etc., plus running the business of Council and City Clerk.

Mr. Darkins:

Mr. President, I would like to add to your words that you have given to Council and to those in the media today to state that I feel that Mr. Michael Perry and Linda Johnson is an asset to City Council. Without them I don't think that our records could be well kept. We're so glad that they're here.

WHICH MOTION PREVAILED.

The Chair presents

No. 571 Communication from Mayor Masloff returning along with her veto Council Bill No. 421 entitled, "Resolution providing for a lease or leases for the use of certain property for City Council District Office facilities in the aggregate amount not to exceed \$45,000."

(MAYOR'S VETO LETTER)

April 2, 1990

Honorable President and Members
Pittsburgh City Council
City of Pittsburgh

Dear President and Members:

I am returning herewith Bill No. 421, which Bill I hereby veto for the following reasons.

I understand fully the desire of Councilmembers to be responsive to the needs of citizens in their respective districts. Nevertheless, I believe that there are a number of public facilities available to members for the purpose of holding neighborhood meetings. In addition to various City facilities, the Board of Education has in the past from time to time made available various school buildings for meetings involving a public purpose.

You have my assurance that I will work with any member of Council to make sure adequate meeting space is available for the purposes of community or constituent meetings in your districts.

Very truly yours,

Sophie Masloff

(END OF LETTER)

Mr. Ferlo moved to override the veto.

Mr. Regan seconded the motion.

Mr. Ricciardi:

Mr. President, first I'd like to congratulate Mayor Masloff for her demonstration of leadership in vetoing this appropriation.

I also thank her for siding with Councilman Coyne and myself in her concern that district offices not be located in public buildings, public subsidized buildings. I think that was a very important amendment to the bill and with that amendment I'm sure Council could have supported the bill.

After being on Council for 12 weeks, I see how important it is to send the right message to the public. In sending the right message, I think we should also look towards dollars and how we can save monies and, hopefully, how next year we can cut the property tax.

So, I welcome this veto and I will be supporting Mayor Masloff. Thank you.

Mr. Regan:

Mr. President, I would like to commend Mayor Masloff. I think she has done a tremendous job and I admire her. She's a fine lady and I

love her dearly.

I think she made a mistake here, though, because there's a lot of poor people in my community, a lot of handicapped people, and a lot of people that need help, senior citizens that have a problem, a big problem, getting to Downtown Pittsburgh. Some can't afford the parking. Some have a lot of problems that they can't bring to the City of Pittsburgh, that they have to bring into the neighborhoods.

I feel that the Mayor has a right to veto, and I respect that. But I think it was a cheap shot to Council to take a vote over the telephone and I want to make my feelings known.

Mr. Milliones:

I'd certainly like to say, Mr. President, that Mayor Masloff is due congratulations. I, however, think that the issue at a certain point was not the issue as to whether or not we would have district offices but rather an issue as to the will of this Council. I think Council needs to give some consideration to that and I do not think this City can be run by referendum and by poll votes.

Michelle Madoff:

As the oldest living member of this Council, I think it's important that we put this into perspective with a little historic perspective.

For those of you who may not remember, I remember when, after four years of not getting any raises, this Council at a budget time voted itself a \$10,000 and the furor that was raised in this City, the same kind of poll-taking, the same kind of nonsense blowing it entirely out of perspective took place. At the same time, Mayor Caliguiri gave his department heads across the board a \$10,000 raise. Subsequently, Mayor Masloff gave department heads last year

across the board approximately a \$10,000 raise. I think it's only fair and just --

Why didn't we put that to a referendum with the public? I'd like to know how many of the public would have voted for a \$20,000 raise to department heads. I don't think many people.

And this \$5,000, \$45,000 lump sum, has been blown entirely out of proportion. The fact remains that for example today I introduced what I believe is the most important piece of legislation that I've ever introduced in my 12 years on this Council which will save the City, if it passes, millions of dollars.

I think it's incumbent on the public to understand that perhaps that \$5,000 would help me in having staff that can prepare meaningful legislation.

However, as you know, from day one, I said I would not open a district office but that I would support my colleagues, at that point, in being able to live up to the commitments under which they ran. But, fortunately, my administrative assistant, who is underpaid, Sarah Meeks, came up with the idea, and I relayed that information to the Administration, why don't we do it in the fire station? Why don't we do it in one of the public buildings? Let's be honest; you're not going to open an office for \$5,000. It isn't going to pay your rent. It isn't going to pay your utilities.

The Mayor's veto is very interesting because it says, "I'm returning with Bill No. 421 which I veto for the following reasons". The "following" is not her reasons for vetoing. Her reasons were, and they're valid, that when you go into a community, the liability for someone who doesn't like the way Mr. Ricciardi voted, perhaps, on the gay rights bill, somebody comes in and damages the building. And who is responsible for that? The City.

The issue has not boiled down to really district office. The issue has boiled down to \$5,000 for each member of Council. And I thought it was important to talk about the \$20,000 raises for department heads over the last four or five years. Maybe the people who are hearing this for the first time would like to call in and express their opinion on \$20,000 increases to department heads.

Now, I would hope that the public would finally get the message. If you don't like Councilmembers, vote us out of office. But if you want good people, people don't stay in government unless they get paid adequately. You don't attract the best and the brightest and we're losing the best and the brightest. We lost Dan Pellegrini who subsequently ran for Judge who would have left government because he just couldn't afford to have children on the salary and the pensions. In case anybody is interested, after 12 years my pension would be something like \$6,000 a year. And when I go to Social Security, which is imminent, I lose half of that. Who is going to go into government for \$3,000 pensions? I think we ought to think about paying our people well, attracting the best and the brightest, because we take care of them.

This has been on my chest and I'm on my soapbox but I felt I needed to express that opinion.

The Chair:

Are you suggesting that we vote to override the veto or not?

Michelle Madoff:

I am going to sustain the veto because I want for the district elections but I wanted to put this in perspective.

Mr. Coyne:

Mr. President, as you know, I voted against the issue originally, and I wasn't going to comment today but I just don't find the logic behind Councilwoman Madoff's statements. We want good directors in the City so I don't think we should be calling attention to the fact that we have to pay them something that would be competitive on a private sector scale. I'm not sure where your rationale comes.

Michelle Madoff:

My rationale, if I may respond, is the fact that Council got a \$10,000 after four years and we were put through the ringer. This is nothing compared to what we were put through at that time and we didn't get the raise.

I'm just saying, if you want good people, be it department heads, and I don't care if you give department heads \$100,000 if they're going to earn their money, but we should also honor elected officials by paying them certainly what a department head gets. \$5,000 is lunacy. We don't get that money anyway; it goes to our staff.

Mr. Cohen:

Mr. President and Members of Council, as you know, I originally supported this bill because I wanted a place in my district to meet with my constituents. Constituent service is such an important part of this job. But since this bill passed, the City has agreed to provide all of us with space and public facilities to meet with constituents.

For my district, I have obtained a commitment to have four such places in the district and will meet with constituents there on a regular basis.

I think because this accomplishes our

original purpose, I don't see the need to override the Mayor's veto. If we can do this for free, then it's something that should be done.

On the other hand, I have very strong sympathy. I do not think that government should be reduced to an MTV college show. It should be run in a more responsible way.

But in the last several days, I have personally talked to many people in my district, many community leaders, who have made it clear to me that they don't believe that this expenditure, however minimal, is worth the benefits. So, I will respect that point of view and will vote to sustain the veto.

The Chair:

Members of Council, I just want to make a brief statement myself. I'm not sure if there's votes here to override the veto or not. I don't know if there's five votes or six votes. The votes have literally changed, I guess, on a daily basis or an hourly basis.

I was not an original proponent of this bill or this idea. However, the majority of Council requested that I support it in that they wanted to open up a district office under the new district system. I personally did not intend to open an office and will not, even if this bill is overridden. And I know several other Councilmembers have indicated the same.

However, I felt, under the new district system, that Council should be given a little bit of flexibility. Councilmembers in districts, if they felt that was the best way to serve their constituents, they should be given the opportunity to do that. Several other Councilmembers said that maybe their best way was simply to add a little staff to their office. And that was a better way of doing it.

So, this issue has been discussed at great length. I'm sure it could be debated indefinitely, forever, on both sides, pro and con. I'm voting to override the veto because I said I was going to support this bill originally. I did it because the majority of this body indicated that that was the best way to serve their constituents.

I am also slightly disappointed in the manner in which the veto evolved over to Council. If the Mayor and the Mayor's Office simply would have said they're against it or vetoing it, fine. But the phone call idea really disappointed me. There was another bill over there, the gay rights bill. If that would have been a phone call also, I can tell you we'd be sitting here with a veto also. So, what's good for one bill is good for another bill as far as I'm concerned anyway.

I'm voting to override it. There may be some additional comments. Let's have one last comment on the bill.

Mr. Ferlo:

Mr. Chairman, I wasn't going to speak because I thought most Councilmembers were resolute in their opinion, even though some people have flip-flopped on the issue, some for a good reason.

Let me just make one last-ditch appeal to my colleague, Mr. Cohen, who appears to be a swing vote possibly. There are five votes; if we have one more either from my colleague, Michelle, or my colleague, Mr. Cohen, we would have the six necessary votes to override.

I say, rather than make this a KQV phone vote issue, why not make it an election issue? I'm making an appeal to these two colleagues to vote to override this bill, okay, and if you're not interested in using the money, which is allowable either for the office or the staff, then I would encourage you not to use the money. And those

of us that will and want to, will use it. I would use up to \$3,200 to maintain an office that I've maintained at my own expense for the last two years. And I say that I am willing to run on this issue in Council District 7. I am willing to take this to the voters next spring, both at the endorsement level as well as at the level of the voters, and talk about this issue. So, I'm asking you to give me the privilege to put this issue to rest once and for all and let's make it a plebiscite. Let the voters decide on this issue.

I'm asking you and appealing to you to come to your senses on the issue in terms of the issue of fairness. The issue of fairness would dictate that you individually, if you did not want to use the money, if you think that most of your constituents do not support you having a district office, then I encourage you not to use the money and do not allow that expenditure to take place in your name. However, those of us who would like to avail ourselves of those resources to maintain a district office, give us that privilege to do it.

I think the voters can respect that and I would say, one step further. Let's make this a campaign issue. I'm perfectly prepared to make this an issue next spring when I have to run again for Councilmember of Council District 7.

I think people in my Council district appreciate the office that I've maintained. It's been a place of services. It's been a meeting place for parents who have grouped together in the Lawrenceville community on the re-opening of the McCleary School. It's been used by Little League Teams for planning recreational activities with the Parks Department. The list is endless regarding the services that have been rendered at the district office that I operate with one of the three staff people that I have on the payroll.

So, I would ask a personal appeal to you

to please consider voting to override. First of all, I would vote to override just on the issue of the grandstanding and politics that have taken place for the last week. God forbid we should have put the Mayor's property tax swap to a KQV phone bill in December. We'd be in a hell of a mess today and we would not have the kind of tax package, the tax policy, that I think we wanted. I think even though I disagree with the issue on the gay rights ordinance from my colleague, Mr. Wagner and Mr. Regan, I think their point is very well taken.

And if for no other reason than the substantive issue of separation of powers, I would vote to override. Why would you even allow yourself to be a whipping boy to the Administration?

But in any event, I would ask you to let me do one thing. Let me take this to the voters. Let me take this issue to the voters in District 7. If they don't support Jim Ferlo, he's not doing a good job, they don't support me having an office at the expense of \$3,200 to \$5,000, then they should not vote for Jim Ferlo. And what better way than to let the voters decide next spring when five of us have to run? So, I would ask for a personal appeal to both of you.

Michelle Madoff:

You know, I think the issue has gotten bogged down in a lot of periphery. The fact remains that if you want to have, Mr. Ferlo, an office in your district, you have \$70,000. You could take part of it to have a secretary here and you could shift your operation out to the community. But it's your responsibility to pay for your rent to open your office, get a free space in a church, or get somebody who would contribute a location to you, or the fire station. Whatever way you want to do it. You could spend your allocation of dollars in any way you choose. I've said that from day one.

I got involved in this originally, as Mr. Wagner will attest to, the legislation was introduced that \$5,000 would be given to those members who wish to open an office in their district. And the rest of us who may not wish to would forfeit that \$5,000. My feelings were, and still are, that constitutionally we're all given the same stipend and I was not going to be discriminated against. So, I supported having that extra money for my office.

But, basically, if you or any other member of this Council wishes to open a district office, go open it. You've got \$70,000. Hopefully, it could be \$75,000 or \$80,000 because I think we could pay our staffs a living wage. \$10,000 to one of my staff members is not a living wage.

Now, I think it is also imperative at this point that we clarify the issue. And to clarify it, Mr. Wagner, as you know, and I was not aware until it was brought to my attention by the Administration when I was talking to a reporter on a three-way telephone call, that the issue of the money has already been approved. If anybody is listening, that's been approved, it's been voted on, and the Mayor is not vetoing the money. The \$5,000. The issue of having district offices, and the Mayor didn't state succinctly, is that they're afraid it will grow like topseed and it will become a liability on the City and I can relate to that.

However, remember there are two separate issues. We already have the money. If you want \$75,000 instead of \$70,000, the money is there and you can take your \$70,000 or \$75,000 or whatever and open your district office. I would have liked to have the \$5,000 to be able to pay a living wage to some of my people.

But this has been so blown out of proportion that I wouldn't even take the money because no matter what you do, it's a lose-lose situation

and I'll struggle through this year and next year at budget time I'll go in and do what I did last year. I asked for \$80,000 for staff people because I believe that we give better service, we save the City hundreds of thousands, millions of dollars, by having good legislation that saves the City money. And I have done that personally and I'm not alone on this; I'm sure my colleagues have done that.

But I think it's imperative that everybody understands that while it has deteriorated to the issue of \$5,000, it's not an issue of district offices. The public says, "Don't spend the money. Don't spend the money to save us millions of dollars. Don't be cost effective."

I think that's foolhardy, penny-wise and pound-foolish, but I think it has been so blown out of proportion that I just want to walk away from it.

Mr. Regan:

Mr. Wagner, I would like to commend you as being a person that stands by your word because when certain people came to you, including myself, about district offices, you said that you weren't going to open up a district office. But you made a commitment and I just want you to know that I respect you and I feel that you didn't bend for any other reason, that you made a commitment and you were going to live by your commitment and I'd like to commend you for that.

I also admire you for what you said about the gay rights. There wouldn't be enough telephones in the City County Building to take those calls if the same plea was put out for this issue.

I'm going to open up an office because I feel it's in the best interest of the people and if we would vote to get the \$5,000, I'm going to donate

the \$5,000 to the charities involved in Council and to pay for my office at my own expense. But I still think it's in the best interest of the people.

The Chair:

Thank you, Mr. Regan.

Mr. Milliones:

Call the question, Mr. President.

The Chair:

Is there any further discussion on the motion to override the veto?

And on the question, Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Ricciardi

And there not being two-thirds of the votes of Council in the affirmative, the veto was sustained.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 572

Report of the Committee on Finance for March 28, 1990 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 488

A Resolution entitled, "Resolution providing for an issuance of a warrant in favor of the American Water Work Research Foundation, 6666 West Quincy Avenue, Denver, Colorado 80235, in the amount of \$19,531.44, in payment for an annual subscription to the AWWA Research Foundation, furnished for the benefit of the City, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 489

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$2,238.66 to Martin J. Dorfner, Sr. t/a Schwartz Market, c/o Ronald L. Muha, Esq., his attorney, 220 Grant Street, Pittsburgh, PA 15219 in full and final settlement of alleged property damage due to sewer back-up on Arlington Avenue and Manton Way in the City of Pittsburgh on or about April 13, 1989."

Which was read.

Also,

Bill No. 490

A Resolution entitled, "Resolution providing for

the issuance of a \$1192.00 warrant in favor of Herbert and Mable Meyer in settlement of claim for sewer line repair."

Which was read.

Also,

Bill No. 491

A Resolution entitled, "Resolution providing for the issuance of a \$993.00 warrant in favor of Michael M. Gold in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 492

A Resolution entitled, "Resolution providing for the issuance of a \$989.04 warrant in favor of Phillip Catanzaro in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 518

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Two Thousand Nine Hundred and Eighty Four Dollar and Thirty Four cents (\$2,984.34) to the Commonwealth of Pennsylvania representing final payment required for unclaimed funds for the year 1981 pursuant to the provisions of deposition of abandoned and unclaimed property Act, Act of August 9, 1971. P.L. 74."

Which was read.

Also,

Bill No. 519

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of Two Thousand Five Hundred Seventy One dollar and Fifty-Nine Cents (\$2,571.59) to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1982 pursuant to the provisions of the deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 520

A Resolution entitled, "Resolution further amending Res. No. 733 of 1983 as amended by Res. No. 548 of 1985, further amended, 'Providing for an Agreement or Agreements with various Private for Profit and Non-Profit entities to provide employment opportunities for low and moderate income city residents in connection with the 1983 CDBG Emergency Jobs Bill Program and providing for the payment of the costs thereof,' by providing for relief on encumbrances of unspent funds by reducing the amount available for administrative costs by \$667.37, by reducing the amount available for subcontracts by \$1.83, by reducing the amount available for participant wages and fringe benefits by \$23,084.57 and by decreasing the aggregate amount of the Res. by \$23,753.77."

Which was read.

Also,

Bill No. 523

A Resolution entitled, "Resolution authorizing the transfer of five thousand dollars (\$5,000) from Code Account 1400-1, Index Code 140012 Premium Pay, Department of Public Safety, Administration to Code Account 1475-1, Index Code 147512, Premium Pay, Department of Public Safety, Bureau of Building Inspection."

Which was read.

The Chair:

Is there discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 540

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI (Fifth Avenue Place, Suite 2660, Pittsburgh, PA 15222), in the amount of \$1,687.50 for consultant services and training of two employees on the NBI PC Units in the City Clerk's Office, without previous authority of law, chargeable to and payable from Code Account 1006, Equipment (Index Code 100602)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And there being a two-thirds of the votes
of Council in the affirmative, the bill passed fi-
nally.

Mr. Darkins presented

Bill No. 573

Report of the Committee on Public Works for
March 28, 1990 transmitting one resolution to
Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 514

A Resolution entitled, "Resolution providing for
a Contract or Contracts, or the use of existing
Contracts, for the design, lease purchase and in-
stallation of high pressure sodium street lighting
for the Dept. of Public Works, for a period not to
exceed five (5) years; and providing for the pay-
ment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen Mr. Millions
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Michelle Madoff Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 574

Report of the Committee on General Services
for March 28, 1990 transmitting one resolution
to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 493

A Resolution entitled, "Resolution providing for
the letting of a contract or contracts and/or use of
existing contracts for the furnishing and deliv-
ery of office equipment for the Department of
Public Safety, Bureau of Building Inspection,
and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 575

Report of the Committee on Public Safety for
March 28, 1990 transmitting sundry resolutions
and two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 494

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Pittsburgh
Action Against Rape for professional services
for the residents of the City of Pittsburgh during
1990 and providing for the payment of the cost
which is not to exceed \$30,000.00, chargeable to
and payable from Code Account (PSTA), Index
Code (253450), Bureau of Administration,
Department of Public Safety."

Which was read.

Also,

Bill No. 495

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with the
Alcoholic Recovery Center (The A.R.C. House)
for professional services for residents of the City
of Pittsburgh during 1990 and providing for the
payment thereof."

Which was read.

Also,

Bill No. 496

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with National
Night Out for services for the residents of the
City of Pittsburgh during 1990 and providing
for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Also,

Bill No. 497

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Eight-Fire Prevention, Chapter 801-Adoption and Enforcement, Section F-702.0-Educational Occupancies and Section F-704.0-Use of Group 1-2-Incapacitated Care are hereby supplemented by adding Subsection F-702.4.1 and F-704.1.1 requiring evacuation plans for day care facilities and child care facilities."

Which was read.

Also,

Bill No. 498

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten-Building, Chapter 1007-BOCA National Building Code Adoption, Article 3-Use Group Classification, Sections 304.0-Use Group E, Educational Uses, Subsection 304.1.1-Day Care Facilities and Section 307.0-Use Group I, Institutional Uses, Subsection 307.3.1-Child Care Facility; and supplementing the Pittsburgh Code, Title Ten-Building, Chapter 1007-BOCA National Building Code Adoption, Article 5-General Building Limitations, Section 501.0-General Area and Height Limitations, by adding Subsection 501.6-Day Care and Child Care Facilities, Article 8-Means of Egress, Section 807.0-Types and Location of Means of Egress, and Section 824.0-Means of Egress Lighting, by adding Subsection 807.5.3-Day Care and Child Care Facilities and Subsection 824.5-Day Care and Child Care Facilities by making change in the use group classifications and by imposing limitations on travel distance to exists and providing for egress lighting."

Which was read.

Mr. Cohen:

Mr. President, with respect to Bills 497 and 498, dealing with day care and child care facilities, I would like to move to recommit those bills.

Even after our discussion on Wednesday and my studying of the bill and this BOCA Code, many question remain. For example, on Wednesday, we were told that this bill would not apply to the private homes where working mothers drop off their child at a friend's house to be taken care of, and yet my reading of the bill says that at least parts of that could apply to a day care facility with even one child.

Moreover, one of the main components of this bill is to change, the definition of day care and child care, and this was really never discussed on Wednesday. I spoke about this with the Director of the Bureau of Building Inspection, Dom Cimino, and he would be happy to come back tomorrow to explain it to members of Council.

So, I'd like to recommit these two bills.

Mr. Regan seconded the motion.

WHICH MOTION PREVAILED.

Mr. Cohen presented

Bill No. 576

Report of the Committee on Engineering and Construction for March 28, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 479

A Resolution entitled, "Resolution further amending Res. No. 343, eff. April 21, 1989, as amended by Res. No. 614, eff. August 3, 1989, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of the Ammon Recreation Center; and providing for the payment of the cost thereof,' by amending the title to read 'the Renovation of Various Recreation Centers including, but not limited to Magee and Ammon'."

Which was read.

Also,

Bill No. 480

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for Lighting and Electrical Repairs at Various Locations; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Michelle Madoff

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I'd like to entertain a few motions. Number one, next Tuesday is Passover and I would like to entertain a motion to reschedule next Tuesday's meeting to Monday at 2:00 p.m.

Mr. Milliones:

So moved.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

The Mayor has asked all Councilmembers to join her in her Conference Room for a briefing on the water problem at noon today. We were just informed of that. That's a point of information.

Michelle Madoff:

I'm really surprised that we're going to be briefed and I'm delighted that the Mayor is going to take the time to bring us up to date.

I think what we need to be thinking about, Members of Council, is that we do not have a Director of the Water Department. It is fortunate that Alex Sciulli who was the former Director was able to, from an engineering point of view, be available.

I will tell you that I was there in full regalia on Friday night in my formal on my way to a March of Dimes fundraiser, and we must commend the City, the County, the State and DER for the efficient way in which it sprung into operation and the procedures were in place.

However, that does not permit us to continue without a Director of the Water Department. I want to share with Council the three top notch people who were interviewed, the City wanted to hire them, and none of them took the job. They all said they would and at the last minute dropped out because the salary wasn't high enough.

Now, that brings to mind the fact that the County Commissioners hired a Director of the Airport at more money than their salary. So, if we need a Director and we have to up the ante, I would like your support when we meet with the Mayor today in saying that's important.

I'd also like to point out that what is not a very well known issue is that we've had one of our reservoirs out of operation for three years and we've been very creative in how we bypass and how the water pressure is handled to the City. It was really the kind of thing that was walking a tightrope. A very dangerous situation and we've been lucky.

Three years later, that reservoir is still not operational. I understand there's been a leak and there's been problems. If we're going to be briefed, I want to be briefed on why that reservoir is still not operational.

I would like to request, respectfully, a post agenda at the earliest moment from Engineering and Construction. I don't know that Alex Sciulli can give us anything except history but I want it fast, why it has been that way and how fast we are going to move. And I'd like to

request that we have Joe Mistick or the Mayor here to tell us what we're going to do about getting a Director of Water.

This does not go to the issue of collections, which are bizarre. It goes to the issue of engineering which, I believe, has been handled in an efficient manner, but I think we need to know what is happening. We're very lucky that we have the connection we made during the last bill with the American Water System which was known as West Penn Water previously, that we're going to be able to exchange water back and forth.

So, I'll look forward to having that post agenda, being briefed, and moving expeditiously to get a Director of the Water Department. There isn't one.

Oh, and I might mention that I was down there on Friday night and my questions were, "Are we preparing and activated carbon slurring?" and, of course, the Administration people who are administrators but who are not familiar with water problems said, "Wow." I said, "Do we have the booms in place?" And they said, "Wow." I said, "What's the water flow?" They said, "Wow."

I just want to assure you that I do have some knowledge because of my environmental activities and resource people, a cadre of people who have been beneficial in helping and that I have been on top of it. In case people say, "She hasn't been visible in the media." I've been there; I don't need to be visible in the media. Thank you.

The Chair:

Thank you.

There is a public hearing today at 2:00 on the Crawford Roberts Project in the Hill Dis-

trict.

I would like to ask the City Clerk to schedule a post agenda tomorrow at 11:30 pertaining to the Grand Prix issue and invite Mr. John Walko who was here today, Director Louise Brown, and a representative from the Mayor's Office.

Mr. Regan:

Could we also include the Pittsburgh Marathon?

The Chair:

I think we should do it one at a time, Mr. Regan, and I would be in full support of doing others. But this item has received so much media attention and is getting blown out of proportion to such a degree, I think it's time for Council to intervene.

Mr. Regan:

Mr. Chairman, I will abide by your wishes, but I think that this problem has to be settled because I feel that the City of Pittsburgh is getting a lot of negative publicity out of this. Some people now are asking if they're going to have the Marathon or aren't they? Are they going to have the Regatta or are they not? Are they going to have the Grand Prix --

Mr. Cohen:

Bike race.

Mr. Regan:

So we can sit down with all these people and try to iron this out so we can have a positive flow coming from the media for this great City of ours and for these great events.

The Chair:

I appreciate your suggestion. However, in requesting the post agenda, I think each individual event is particular in its own nature, the funding that is raised, what happens to the funding, the amount of City dollars that go into it. And for some reason, the Grand Prix, and I sit on the Regatta Board of Directors, has been the one that has gotten blown out of proportion and I just believe that Council needs to sit down and try to intervene. And we could follow up on the others at a later time.

Mr. Regan:

Thank you, Mr. President.

Mr. Cohen:

I agree, as I know Councilman Regan does, that what you are doing in calling a post agenda is bringing a level head to this issue, and that's what we need right now. So, I agree.

Michelle Madoff:

Mr. Chairman, I respectfully disagree. It seems to me the issue is not the Regatta. The issue is not the bike race. The issue is not the Grand Prix. The issue is, how are we going to raise money to pay for the necessary City expenses for which the suburbanites come in and take advantage of these wonderful events. And when they go out of town they say, "Where do you live?". They don't say, "Mount Lebanon" and they don't say "Fox Chapel". They say, "Pittsburgh".

We need to sit down with the Administration and perhaps the Allegheny Conference and maybe the Chamber of Commerce and the Commissioners and say what kind of money can we raise to pay for City expenses for the benefit of all these events. I think it is a mistake to single

in on one event and say, "They're different. They've brought the children here that were handicapped." I'm sure that the event that I worked for on Saturday night for the March of Dimes has just as heartrendering children.

Let us not get into the issue of this group or that group or the other group. Let's address the issue; what are we going to do to provide City services and who is going to pay for it. I respectfully ask you to reconsider that.

The Chair:

In my opinion, that is not the issue. We have a budget and we deal with \$300 million. And as far as I can see, communication has broken down between the Administration and the people in the Grand Prix. Mr. Regan may be right; it may have happened in other areas also, but it's become more obvious with that particular event.

And I think Mr. Ferlo's resolution here today, somehow indirectly he was trying to bring attention to the event. And I commend him for it. But I do not want to continually read in the paper, daily, about the verbal disagreements between the Grand Prix and the Administration. I think it is not in the best interest of this City and I would like to resolve that issue first. And if we can, then we can move on to the other issues.

Michelle Madoff:

Mr. Chairman, in response to what you just said. The issue is policy. The issue is not the Grand Prix. Whatever the policy is, it will apply to everybody across the board. You're not going to say to the Grand Prix, "You don't have to pay for police, paramedic and fire. But you do, Mr. Connelly." We need to find a source of funding. It is a policy issue and how do we resolve that policy, where do we find the money? It should

apply equally to everyone. I think it's a mistake because I think we're putting fuel on the fire by saying, we're taking up the issue of the Grand Prix and we're going to address that. It only does exactly what you don't want to do, have more adverse publicity on the subject.

I urge you to think it over.

The Chair:

There is no communication and communication in a positive vein is positive. That's what I want to see happen here. And I am going to end discussion.

Mr. Coyne:

I want to comment on the Grand Prix issue. I think in principle I agree with Councilwoman Madoff, but I think you have a very legitimate point. The Marathon and Regatta both have indicated that they're willing to talk to the City and negotiate as to what fees they could pay and what they're able to pay; whereas, the Grand Prix, from what I've picked up, hasn't been willing to negotiate at all.

And I think that even though I have a problem with the event, I think it's a good idea to bring them in here and deal with them separately. And then bring maybe the Marathon and the Regatta in separately also, and then one joint measure. But if you get all three of them together at one time, you're not going to be able to directly address any of the problems.

The Chair:

Thank you.

Michelle Madoff moved to approve the Minutes of Tuesday, March 13, 1990 and Tuesday, March 20, 1990.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of Mr. Coyne

Council adjourned.

the 'information' and 'communication' fields, and the 'information science' field.

It is important to note that the 'information science' field is not a new field, but a field that has been developing since the 1960s. The 'information science' field is a field that is concerned with the study of the nature and use of information, and the development of methods for the collection, organization, storage, retrieval, and dissemination of information. The 'information science' field is a field that is concerned with the study of the nature and use of information, and the development of methods for the collection, organization, storage, retrieval, and dissemination of information.

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MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Monday, April 9, 1990

No. 15

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Monday, April 9, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Could I have Nick Lane and Mr. and Mrs. Kurtysch come up, please? I'm very happy,

Members of Council, to read the following resolution.

Mr. Cohen presents

No. 614 WHEREAS, more than 100,000 Soviet Jews are expected to arrive in Israel this year, supported and assisted by the United Jewish Appeal's Operation Exodus Campaign; and

WHEREAS, anti-Semitic incidents are growing with increasing frequency in the Soviet Union; and

WHEREAS, the emigration of Soviet Jews is still curtailed due to the refusal of the Soviet Union to permit direct flights to Israel; and

WHEREAS, through the advocacy efforts of the Pittsburgh Conference on Soviet Jewry, approximately 200 Soviet Jews have arrived in Pittsburgh in the last year, most of whom to be united with family members.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls upon the President of the United States and the Secretary of State to urge the Soviet government to immediately permit direct flights from the Soviet Union to Israel; to strictly enforce Soviet laws and the constitution protecting minorities and prohibiting racism and hatred; and to permit those Jews remaining in the Soviet Union to freely practice their religion and the study of their culture and history.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, President and Members of Council.

I think it's fitting that we have passed this resolution today because tonight marks the first night of Passover which is a Jewish holiday commemorating the freedom and exodus of Jews from ancient Egypt. And what we're really commemorating here today is the freedom and exodus of modern Jews from the Soviet Union.

So, I am very pleased to introduce Mr. Nick Lane who is Chairman of the Community Relations Committee of the United Jewish Federation. We also have with us today, Mr. and Mrs. Kurtysh, Giles and Lena Kurtysh, who are from the Soviet Union and who emigrated here and have been in Pittsburgh for the last four months. So, it's a real pleasure and I'd first like to introduce Nick Lane.

Mr. Lane:

Mr. President, Members of Council, thank you very much, indeed, for passing this resolution today. It is, as Councilman Cohen said, a particularly appropriate day on which to do it since today marks the commemoration of the exodus from Egypt and the passing of the Jewish people so many years ago from servitude to freedom.

As many peoples in Eastern Europe seek their freedom mostly within the confines of their own country, for those like the Jews who have no national homeland in Eastern Europe, there is only one solution to the problems that they face, and that is to emigrate, to emigrate to Israel or to

emigrate to the United States, both countries bastions of freedom in this world of individual and personal freedoms.

It is of great significance and great concern to us that the Soviet Union has gone back on its pledges of providing direct flights. As a consequence of that, people with permission to leave the country now have to wait for more than a year in order to find a ticket, to find a flight, to find a way of getting themselves out of the country. It is with the support of elected officials, with the support of politicians and statesmen and people of good will in the United States that we hope that this situation can be changed and that pressure can be brought to bear on the Soviet Union to move.

We should remember at this time that although the exodus from Egypt took only a few days, the people of Israel wandered for 40 years before they returned to their homeland. Let's hope that we can reduce that length of time this time around. Thank you very much indeed.

Mr. Kurtysh:

Thank you everybody who came to this meeting to approve this resolution. I left the Soviet Union in 1989 and I receive now many letters from my friends who want to leave the Soviet Union and they couldn't do it as soon as they want because there are not direct flights from Moscow to Tel Aviv and they have to stay in the long lines to receive tickets, even if they have permission to leave the Soviet Union.

I am very happy to hear from you that you will send this resolution to the President of the United States and I'd like to say thank you very much everyone who helped the Soviet Jews leave their country to Israel and the United States. Thank you very much.

Mr. Cohen presents

No. 615 WHEREAS, on April 10, 1990, NASA astronaut, Lt. Colonel Charles F. Bolden, Jr. is scheduled to pilot the Space Shuttle Discovery on a special mission for the United States of America to put the Hubble Telescope into orbit; and

WHEREAS, in May, 1980, Lt. Colonel Bolden became the first Black Marine Corps pilot admitted to the NASA Space Shuttle Program; and

WHEREAS, Gladys C. Harper, a Pittsburgh resident and the widow of the late Judge Thomas A. Harper, is the cousin of Lt. Colonel Bolden and a nationally recognized family historian who has tracked her family heritage back to the year 1830.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the achievements of NASA astronaut Lt. Colonel Charles F. Bolden, Jr. and congratulates Gladys C. Harper for her work with the community in preserving her family heritage.

Mr. Cohen moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I'd like to introduce Gladys Harper who is not only a community leader and somebody who has tracked her family heritage for a long time, but is also a constituent.

Ms. Harper:

Mr. Cohen, President Wagner, and Members of Council. I am not only humbled by the action this august body has taken on the eve of a historic event, the launching of the Shuttle Discovery, and the placing in orbit of the Hubble Telescope, but I'm also grateful for its recognition of one of the pilots, Colonel Charles Franklin Bolden, Jr., whose dual Pittsburgh connection results from the fact that we are related and I am the family historian.

To be a leader, Charles says, you must know your people. As district leaders, you understand the significance of this statement.

The three major networks, as well as CNN, and the nation's leading newspapers, have reported on Colonel Bolden's outstanding career, as well as the research I've done in the preparation for a family history volume. Today, you further that effort by enabling me to include this tribute alongside an item Charles is taking it to space tomorrow for inclusion in the publication. In fact, I'm planning a chapter which elaborates a story line that begins, "On the eve of the event anchored in space was Pittsburgh City Council."

I am grateful. Thank you.

Mr. Darkins:

Mr. President, I would like to declare tomorrow as Lt. Colonel Charles F. Bolden, Jr. Day along with Gladys Harper.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 616 WHEREAS, the week of April

7-14, 1990 has been designated as National Community Development Week in the City of Pittsburgh which is a participant in the Community Development Block Grant (CDBG) Program that helps support a myriad of social service, economic development and housing programs in the City of Pittsburgh; and

WHEREAS, in the City of Pittsburgh and in cities throughout the nation, sixteen years of Community Development Block Grant Program funding has helped develop a strong working network of relationships with its residents of Community Development target neighborhoods and the many non-profit agencies that provide services and help make our commitment to those neighborhoods possible; and

WHEREAS, the City of Pittsburgh recognizes that the Community Development Block Grant Program is a partnership of Federal, local government, non-profit and community efforts, and that the services funded by the Federal CDBG Program, administered by the local government and often delivered by local non-profit organizations, relies heavily on the dedication and goodwill of our combined efforts.

NOW, THEREFORE, BE IT RESOLVED, that during National Community Development Week 1990, the City of Pittsburgh gives special thanks and recognition to all participants whose hard work and devotion to the neighborhoods and their low and moderate income residents help insure the quality and effectiveness of the Community Development Block Grant Program; and

BE IT FURTHER RESOLVED, that the City of Pittsburgh, on behalf of its residents, hereby petitions the U.S. Congress and Administration to recognize the outstanding work being done locally and nationally by the Community Development Block Grant Program, its

vital importance to the community and to the people who live in its neighborhoods; and

BE IT FURTHER RESOLVED, that copies of this resolution be conveyed to the appropriate elected and appointed officials in the Federal government and that the City of Pittsburgh's name be added to the roll of those committed to the preservation and full funding of the Community Development Block Grant Program and maintenance of its essential features over the course of the next Congress.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to ask the following individuals to please step forward: Director Louise Brown, Parks and Maintenance Supervisor Tony Richards, and our three courageous men, Arthur Ferraro, James "Butch" Williams, and Mario Santamaria.

Mr. Ricciardi presents

No. 617 WHEREAS, on Wednesday morning, April 4, 1990, Citiparks maintenance employees Arthur Ferraro and James "Butch" Williams helped save two people from a fire, and Mario Santamaria helped by using his truck radio to report the fire; and

WHEREAS, Arthur Ferraro and James "Butch" Williams rushed to the aid of Michael Redman and his daughter, Samantha, who were trapped inside of their burning home; and

WHEREAS, Arthur Ferraro and James "Butch" Williams broke down the door of the burning house, without heed to the danger to

themselves, and enabled Michael and Samantha Redman to escape.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Arthur Ferraro and James "Butch" Williams for their valiant efforts in rescuing Michael and Samantha Redman from their burning home and also commends Mario Santamaria for his calm demeanor in his immediate professional response of reporting the fire.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. It's a privilege of mine today and an honor to present this resolution to three courageous men. They've shown all of us what it means to be a public servant, not just to put those eight hours in but to go beyond that. These three guys have done it.

I'd like to ask first Director Louise Brown if she could say a few words and then Arthur Ferraro.

Director Brown:

Of course, we in the Administration in Citiparks are so pleased and proud of such dedicated employees. What they did was above and beyond what anyone else or many other people would do. They are truly examples of excellent public servants who not only saved potentially the lives of two people, but many of you may not know, immediately thereafter went right back to work to do their job.

We are very proud of you. You are won-

derful examples of all of our employees, and we thank you so much on behalf of all of us.

Mr. Ferraro:

This is really a surprise. I'd like to thank my boss, John Smoskey, Dom Stratiff, my Supervisor, my Dad for bringing me up right, and my family.

I'm just glad I got the people out safe. And my buddy, Butch, assisted me. Thank you very much.

Mr. Williams:

It was like a natural reaction. We were in the right place at the right time.

I'm proud to be an employee of the City of Pittsburgh and being here before you, well, words can't explain it. Thank you.

Mr. Santamaria:

As my friend, Butch, just stated, I will say just about the same words. But, in the meantime, when I saw the house burning, I just couldn't go any further. I had to stop and let these two here do whatever they did. Thank you.

The Chair:

Thank you all very much.

Mr. Cohen presented

No. 583 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Replacement of the Shadeland Avenue Bridge, at a cost not to exceed \$350,000.00, chargeable to and payable from the 1989 Project Fund.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 584 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Architectural/Engineering Services in connection with the Design of First Avenue Public Space Improvement at a cost not to exceed \$120,000.00, chargeable to and payable from the 1989 Project Fund.

Also,

No. 585 Resolution amending Res. No. 1061, eff. January 1, 1990, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by adding a new line item (EC90-388), First Avenue Public Space Improvements. \$60,000.00 was allocated in 1986 for the above referenced project. An additional \$60,000.00 is needed for this project due to an increase in the scope of work to include the design of the entire street, from Stanwix Street to Grant Street, including infrastructure improvements. Since all the funding will come from the 1989 Project Fund, we will delete the 1986 line item and show the entire \$120,000.00 in the 1990 Capital Budget.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Ferlo presented

No. 586 Resolution transferring the sum of \$200,000.00 from Code Account 49, (004903) Reserve Fund Sewage Service Charges, ALCOSAN to Code Account 1401, (140103), Miscellaneous Services, Department of Public Safety. --- (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 587 Resolution providing for an Agreement or Agreements, Contract or Contracts, or to make use of existing Contracts to undertake the Oakland Traffic Improvement Studies.

Also,

No. 588 Resolution authorizing the submission of an application for financial assistance in the amount of \$587,000 to the United States Department of Housing and Urban Development in connection with the Rental Rehabilitation Program for fiscal year 1990, execution of Grant Agreement upon award, and designation of the Urban Redevelopment Authority of Pittsburgh to implement the program. The Rental Rehabilitation Program Subsidy will be limited to \$6,500 for 0 and 1 bedroom units, \$8,000 for 2 bedroom units, \$8,750 for 3 or more bedroom units and \$8,750 for handicapped accessible units with 2 or fewer bedrooms.

Also,

No. 589 Resolution authorizing the

URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 25th Ward of the City of Pgh., designated as Block 23F Lots 153, 154, and 155 (1539-1537-1535 Arch Street) in the Deed Registry Office of Allegheny County, for the fair market value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being acquired for resale to a redeveloper for use as a sideyard. The lot size is approx. 5,000 square feet.
(COUNCIL DISTRICT NO. 6)

Also,

No. 590 Resolution authorizing the URA of Pgh. to acquire the properties in the City of Pgh. under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. (SIDEYARD & REARYARD).

Also,

No. 591 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of various properties in the City of Pittsburgh (SIDEYARD & REARYARD).

Also,

No. 592 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: From "M1" Limited Industrial District, "M3" Light Industrial, "A1" Commercial-Residential Associated District "R4" and "R5" Multiple-Family Residence

Districts to "I-C" Institutional-Civic District certain property fronting along RIDGE AVENUE, ALLEGHENY AVENUE and NORTH LINCOLN AVENUE between ALLEGHENY AVENUE, AND BANK STREET, 22nd Ward. --- (SPONSORED BY MR. FERLO)

Also,

No. 593 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: From "A1" Commercial-Residential Associated District to "C3" Commercial District all that certain property bounded by: ALLEGHENY AVENUE; DOUNTON WAY; ROPE WAY; WESTERN AVENUE; Lot No. 54, Block 8-A in the Allegheny County Lot and Block System; MAOLIS WAY; Lot No. 239, Block 7-D in the aforesaid System, and NORTH LINCOLN AVENUE, 22nd Ward. --- (SPONSORED BY MR. FERLO)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 594 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to perform an evaluation study of the Department of Public Safety, at a cost not to exceed \$200,000.00, chargeable to and payable from Code Account 1401 (140103), Misc. Services, Administration Bureau, Dept. of Public Safety. The scope of services for the consultant study shall include but not be limited to a review of the functions of the Dept. of Public Safety including management structure and job function, 911 dispatching and operations, recruitment and training, the psychological testing program, development of

an overall affirmative action program to increase the number of females and minorities in all levels and bureaus within the Department; and a review of the Police Bureau including but not limited to personnel levels and utilization, foot patrol as a deterrent to crime, zone concept and location of police stations, pro-active community oriented policing strategies, strategies to reduce stolen vehicles, effective utilization of crime statistics, among others. --(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Mr. Millones presented

No. 595 Resolution authorizing the issuance of a warrant in favor of Copy World in the amount of \$1,595.00 in payment for a fax machine for the Mayor's Office, chargeable to and payable from Code Account 1020, Equipment, Office of the Mayor.

Also,

No. 596 Resolution providing for the filing of an application or applications by the City of Pgh. with the Commonwealth of Pa. for a grant or grants in connection with the Pa. Conservation Corps Act; providing for the execution of grant contracts and for the filing of requisitions and other data; for the City of Pgh. to enter into agreements authorized by the Pa. Conservation Corps Act and providing for execution of payment vouchers and for certification of authorized signatures; and providing for the deposit of funds into a bank account. Cost not to exceed \$8,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 597 Resolution providing for an

Agreement or Agreements with Vietnam Veterans Leadership Program of Western Pennsylvania, a non-profit organization, to provide job referral services for City residents, at a cost not to exceed \$8,100.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 598 Resolution granting a License to Duquesne Light Company for the installation of one (1) pole and anchor and underground electrical system on City property, at Brilliant Yard, 12th Ward, designated as Block and Lot 82-H-1.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 599 Resolution providing for the issuance of a warrant in favor of AT&T, 170 S. Warner Road, 2nd Floor, Wayne, PA 19087, in the amount of \$152,450.89 in payment for the purchase and installation of hardware for Computer Aided Dispatch in the Communications section for the benefit of City, chargeable to and payable from Code Account 1405, Equipment, Bureau of Administration, Dept. of Public Safety.

Also,

No. 600 Resolution authorizing the transfer of \$100,000.00 from Code Account 1043, Misc. Services, Mayor's Office, Bureau of City Information Systems to Code Account 1405, Equipment, Bureau of Administration, Dept. of Public Safety. This transfer is necessary to render payment to AT&T for the purchase and installation of hardware for Computer Aided Dispatch.

Which were read and referred to the Committee on Finance.

Also,

No. 601 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Drug Forfeiture Money Trust Fund, for deposit of funds donated by the County of Allegheny, Office of the District Attorney from time to time, and authorizing the use of the funds deposited therein by the Bureau of Police, Department of Public Safety to be used for buy money, informant money, equipment, supplies, materials, education and miscellaneous services.

Also,

No. 602 Resolution providing for the establishment of a Department of Public Safety, Bureau of Police Drug Forfeiture Money Imprest Fund. The Mayor is authorized to issue and the City Controller to countersign a warrant in the amount of \$25,000.00, payable to the Chief of Police, Dept. of Public Safety, chargeable to and payable from the Drug Forfeiture Money Trust Fund (DMF), Dept. of Public Safety for buy money, informant money, equipment, supplies, materials, education and miscellaneous services. The Mayor and City Controller are authorized to issue and countersign additional warrants from time to time upon invoice of the Dept. of Public Safety to maintain a balance of \$25,000.00 in said Imprest Fund.

Also,

No. 603 Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings at a cost not to exceed

\$900,000.00, chargeable to and payable from Code Account Capital Project Funds, Demolition and/or Sealing of Condemned Buildings, Including Site Restoration and Boarding and Party Walls.

Which were severally read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 604 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Street, Pgh., PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of April 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, District 3, City Council.
---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 605 Petition from the Just Harvest Coalition, requesting a public hearing regarding Hunger: Access to food in Pittsburgh. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Also,

No. 606 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the nuisance of late night cruising in the South Craig neighborhood.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 607

Report of the Committee on Finance for April 4, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 513

A Resolution entitled, "Resolution providing for the transfer of funds totalling Three Hundred and One Thousand and Five Hundred (\$301,500.00) Dollars from various City Department Code Accounts to Code Account 1132-7, Index Code 113274, Utilities, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 521

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$8,750.00 to Ruth F. Weiford c/o Anton W. Bigman, Esq., her attorney, 210 Fort Pitt Commons, Pittsburgh, PA 15219 in full and final settlement of an accident involving a City vehicle which allegedly struck plaintiff's stopped vehicle on the Liberty Bridge exit ramp to the Boulevard of the Allies on or about January 3, 1986."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 522

A Resolution entitled, "Resolution Repealing Res. No. 17, Item G, approved February 5, 1990, which authorized the sale of property in the 26th Ward, being a vacant tri-lot containing 28' x 42' x 35' L.R. 102', located at 2-4 Perryview Avenue, designated as Block 162-R, Lot 2, to Frank L. Crawshaw and Nancy J. Crawshaw, his wife, for the sum of \$350.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 526

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of March, 1990." --- (SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

I'd like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 526-Wednesday, 4/4/90)

Mr. Wagner:

Discussion. Mr. Chairman, I would like to ask Mr. Ricciardi, on the previous resolutions of this type that Council has passed, have checks been issued yet by the Controller's Office?

Mr. Ricciardi:

No. The checks have not been issued, but I was informed yesterday by the Controller's Office that one of the checks will be issued today.

There was a little miscommunication between what would be necessary, and we are still going through the steps, so I will be able to report back to Council these checks will be issued.

I would like to tell my fellow colleagues, though, for those who will be using consultants, that the policy has changed in the City Controller's Office of what must be submitted. I know Michelle Madoff and Jack Wagner have used consultants in the past. They require more documentation on the type of work the consultants are performing and if they will be doing future work.

Mr. Wagner:

Mr. Perry, I would just like to follow-up. According to this Council there have been no changes in any procedures. Consequently, unless this Council is formally notified by that office, we expect the checks that are approved by this Council to be cut and forward to the appropriate parties. I expect that with previous resolutions of this type. And until this Council is notified and until there are some formally adopted procedures, as far as I am concerned, and I believe the entire body, the procedure is still the same.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 527

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hozak Farms in the amount of Two Thousand One Hundred Forty Three Dollars and Twenty One Cents (\$2,143.21) in payment for supplies and materials for Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Knepper Press in the amount of Two Thousand Two Hundred (\$2,200.00) Dollars in payment for services for Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 529

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Pittsburgh Cut Flower Co. in the amount of One Thousand Seven Hundred Forty Eight Dollars and Seventy Nine Cents (\$1,748.79) in payment for supplies and materials for Phipps Conservatory furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 530

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Taronga Zoo, Sydney Australia in the amount of Nine Hundred Ninety Nine Dollars and Seventy Seven Cents (\$999.77) in payment for transportation costs for The Pittsburgh Aviary furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 541

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company in the amount of \$2,595.00 for the purchase of office furniture for City Council without previous authority of law, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc. (Index Code 100115)." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Milliones

Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 608

Report of the Committee on Public Works for April 4, 1990 transmitting two resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 515

A Resolution entitled, "Resolution vacating Enfield Street beginning at a point 164.50 feet from Morewood Avenue, thence northwardly 65 feet to its terminus; also, vacating an unnamed way from Enfield Street Westwardly to its terminus; also, reserving a 6" water line and sewer line in the 8th Ward of the City of Pittsburgh (Voting District 8)."

Which was read.

Also,

Bill No. 556

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Boom Mower, and providing for the payment of the cost

thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 609

Report of the Committee on Planning, Housing and Development for April 4, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 516

A Resolution entitled, "Resolution further amending Res. No. 1061, effective January 1, 1990, as amended, entitled, 'Resolution adopt-

ing and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program' to change project code account numbers.

Which was read.

Also,

Bill No. 482

A Resolution entitled, "Resolution approving Modification No. 2 to the Crawford-Roberts Proposal, dated March, 1990; approving Modification No. 2 to the Crawford-Roberts Redevelopment Area Plan dated March, 1990, and making certain findings related thereto."

Which was read.

Also,

Bill No. 483

A Resolution entitled, "Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$3,200,000 to the Pennsylvania Department of Community Affairs for the Phase I Rental Housing in the Crawford-Roberts Redevelopment Project Area."

Which was read.

Also,

Bill No. 484

A Resolution entitled, "Resolution further amending Res. No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995

Capital Improvement Program' by increasing UR-473 by \$9,805,000."

Which was read.

Also,

Bill No. 485

A Resolution entitled, "Resolution providing for the Crawford-Roberts Phase I Rental Housing Cooperation Agreement with the URA of Pittsburgh; providing for the designation and implementation of at least \$3,200,000 in certain developer private investment funds as the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 486

A Resolution entitled, "Resolution authorizing the URA of Pgh. to utilize certain surplus federal and City Capital Grant Funds and interest income from the Lower Hill Urban Renewal Project, the Neighborhood Development Program (NDP) Project, and the Crawford-Roberts Redevelopment Project for activities in connection with the Crawford-Roberts Redevelopment Project."

Which was read.

Also,

Bill No. 487

A Resolution entitled, "Resolution authorizing the Fifth Amendatory Cooperation Agreement with the URA of Pgh. for the Crawford-Roberts

Redevelopment Project to implement Modification No. 2 to the proposal for redevelopment activities in the Crawford-Roberts Redevelopment Project Area dated March 1990, and Modification No. 2 to the Redevelopment Area Plan dated March, 1990 and providing for the payment of the cost thereof."

Which was read.

Mr. Cohen:

Mr. President, I'd like my remarks on the Crawford-Roberts bills brought forward, please.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILLS NO. 482, 483,
484, 485, 486 and 487 - Wednesday, 4/4/90)

Mr. Cohen:

I have some of the same concerns about displacement of current residents and also about tenant management, but I found your answers to be satisfactory.

Let me just say that I think the Crawford Roberts development project is a very positive step for the Hill that is long overdue. I want to commend the Hill PAC and the Hill community, URA, you, Director Whitmer, and also Councilman Milliones who has worked on this for years. When you come back for the disposition agreement, we will talk about the specifics with regard to some of the issues raised by Councilman Ferlo and Councilwoman Madoff, but I think this is a great development.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 610

Report of the Committee on General Services for April 4, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 532

A Resolution entitled, "Resolution amending Res. No. 148, eff. March 22, 1989 entitled, 'Providing for the letting of a contract or contracts, or the use of existing contracts for Major Repairs and Emergencies, for the Department of Parks and Recreation, payable from Code Account PR 89-07, 4-10-01-0010-89, Index

Code 592253, Major Repairs and Emergencies, Department of Parks and Recreation and for payment thereof,' by increasing the cost."

Which was read.

Also,

Bill No. 533

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contracts for the furnishing and installation of picnic shelters for the Department of Parks and Recreation, payable from Code Account PR 141, 3-10-10-1640-90, Index Code 810259, Erect Non-Permit Pre-Fab Picnic Shelters, Department of Parks and Recreation and for payment thereof."

Which was read.

Also,

Bill No. 534

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for fence repairs for the Department of Parks and Recreation, payable from Code Account PR 123, 3-10-10-1655-90, Index Code 810309, Fence Repairs, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 535

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for concrete repairs for the Department of Parks and Recreation, payable from Code Account PR 120, 3-10-10-1700-90,

Index Code 810358, Concrete Repairs to Park Facilities, Department of Parks and Recreation and for payment thereof."

Which was read.

Also,

Bill No. 536

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or the use of existing contracts for the installation of a playground safety surface for the Department of Parks and Recreation, payable from Code Account PR 458, 3-10-10-1710-90, Index Code 810408, Play Area Safety Improvements, Department of Parks and Recreation and for payment thereof."

Which was read.

Also,

Bill No. 537

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for miscellaneous major repairs and emergencies, for the Department of Parks and Recreation, payable from Code Account PR 121, 3-10-01-0010-90, Index Code 810051, Major Repairs and Emergencies, Department of Parks and Recreation, and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 611

Report of the Committee on Parks and Recreation for April 4, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 531

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pa, Dept. of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT providing for the execution of the Grant(s) and for the filing of requisitions and other data approving the Project providing for the required assurances; providing for execution of payment vouchers or Letters of Credit and for certification of authorized signatures and providing for the deposit of the funds in the Special Summer Food Service Program account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 538

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Boys and Girls Club of Western Pennsylvania for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh; and providing for the payment of the cost thereof not to exceed Ten Thousand (\$10,000.00) Dollars, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion the the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 539

A Resolution entitled, "Resolution granting a lease to the Pittsburgh Parking Authority for the exclusive use for a five-year period with two five-year options of City property known as Schenley Plaza Parking Lot."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 539.

Michelle Madoff:

I would also like my comments brought forward on Bill 539. I don't think it's a well

thought out plan. I don't think it's a crisis. I think there are other alternatives. I think it's money that's going to be spent and that could be put to better use in the same area doing something different and I oppose the project.

Mr. Cohen:

I would like my comments brought forward on the same bill and I respectfully disagree with Councilwoman Madoff. I think that from the answers that we received from Authority Director Young that this is going to be a project that will increase the number of parking spaces by about 95 spaces there and it's an area which is extremely congested and I think they're going to do it in a way that will be aesthetically pleasing. And hopefully, though, it will be a short term solution and will move quickly on the longer term solution of a larger parking garage.

Mr. Darkins:

Mr. President, I feel that in doing what is going to happen here will save the City of Pittsburgh money. I think it will also bring money to the City of Pittsburgh. I think it will also enhance that entire area the safety of the damages and things that have been done in the past to most of the people that park in that area.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 539 - Wednesday 4/4/90)

Mr. Cohen:

I hope to feel comfortable with the bill after a few questions. Good morning. Could you explain what the specifics are, then I have some specific questions.

Mr. Young:

Yes. We are here today to ask approval of this lease so that the Parking Authority can take control of a facility and take a 203 space metered lot facility right now that is presently owned by the city in the Schenley Park area and convert it into an attendant parking facility which would be able to park approximately 300 cars. I am sure that a number of you already are familiar with the Schenley Plaza area. We presently park somewhere around 1100 or 1200 cars a day out there, in turnover of those approximately 279 meters, if you count the meters in front of Carnegie Library and Music Hall and those over in front of Hillman.

What we would like to do is turn this into an attendant parking facility so that we can park more cars. Our studies have indicated that this is a short-term lot, and, in fact, 58 percent of the cars that go there park less than two hours, and that total of 87 percent of the cars park less than four hours. So it is a short-term turnover lot. What we would like to do is increase the number of short-term turnover cars that are there.

What I would like to do, if I could, is to pass out some information. You have to sort of bear with this photo and try to focus in on it. I do have a color original that you can pass around. As you can see in the front of that photo, it shows the Cathedral of Learning right in the middle and Forbes Avenue and then the Schenley Plaza parking area. The Schenley Plaza parking area has been there for quite some time. In the center of the Plaza area is a grassy area, and then, of course, the access into the parking meter stalls is done by cars queuing as they go around that area and trying to look for a space on the internal area.

What we would do is to take that particular squared area, remove the grassy area, remove the existing asphalt curbing that is in there and turn it into an attendant parking facility. We would provide shrubbery and landscaping on the exterior portion. We would have a primary entrance and exit off of Roberto Clemente Way, we have another entrance off of the Forbes Avenue side as an alternate. This would permit parkers to at least know when they come up to the entrance, if the lot were full, then they would not have to stand and sort of queue waiting for cars to try to pull out.

We feel that we can beautify the area, make it look alot better, improve the traffic conditions, provide security and lighting in the evening for evening parkers, and overall, make this a much more efficient parking area in a part of town that

this a much more efficient parking area in a part of town that really needs more short-term parking. We are doing this with the understanding that it is a short-term lease that we are asking for. We have been in discussions with the Parks Department, Planning Department, University of Pittsburgh, Carnegie-Mellon, Oakland Planning and Development Organization. And it is certainly our firm intention to continue to work with those groups on some long-term solution, which would probably call for a collector garage, perhaps, at this facility.

Mr. Cohen:

Underground or above ground?

Mr. Young:

It would be a below ground garage. But at the present time we don't see that in very near future. As you probably know, the University of Pittsburgh is involved in 1000 car parking garage facility that is under construction right now at Soldiers and Sailors, Presbyterian Hospital has just completed an 1100 car facility up in back of Trees Hall. Our feeling is that we should go in and do some demand studies, recognizing the kind of development that is going to be going on in Oakland really over the next 10 to 15 years and start to plan for some collector garages. And yes, this would possibly be one of the locations. But in the short term, we are looking at this as just being a surface line.

Mr. Cohen:

I am glad to see we are moving on this. This is a parking nightmare over there; any time of the day or night it is impossible to find a parking space there. So I am glad to see we are increasing parking spaces. It looks like this will create about 97 more spaces if we do it through attendant lots.

Will this entire area be attendant, the entire parking area under this program?

Mr. Young:

There will still be meters along Bigelow. If you turn to the second sheet, that is a very rough, early schematic, but it indicates that the parking along Bigelow Boulevard in front of Hillman Library would still remain metered, along Roberto Clemente Drive we would remove the parking there, queuing going into the lot, along the Carnegie Library and Museum side, we would remove the diagonal parking in front of the library, and prevent and provide a through movement from Schenley Drive to Forbes. But we would also encroach a little bit further over. We would have still two lanes coming up, but we would take the diagonal parking out in front of the library. In place of that, what we would do is we would probably install more short-term

meters up along Schenley Drive for people who wanted to return books to the library. Right now they are half hour meters, we would probably increase the number.

Mr. Cohen:

What would the attendant hours be?

Mr. Young:

Presently we are looking at the attendant hours being from approximately 7:00 o'clock in the morning until 11:00 o'clock at night. That could certainly vary, depending on the use, for example, if the Carnegie were to have events that would be later in the evening to accommodate patrons that will go.

Mr. Cohen:

Have you determined what the charges would be, parking charges?

Mr. Young:

If you look on the third sheet, you see rate structure presently, and that gives both the existing rates and the proposed new rates. What we would be proposing to do is in the first hour increase it from 50 cents to \$1.00. However, the second hour would go up to \$1.50, third hour would go up 50 cents more, four hours it will go up 50 cents more, and then in the fifth hour it will jump another 50 cents, really to \$1.00, from \$2.50 to \$3.50, because we really do want to try to reduce the number of long-term parkers there. As I said, 89 percent of the parkers that go there are under the four hour period of time.

Mr. Cohen:

You are calling over four hours long term?

Mr. Young:

Yes.

Mr. Cohen:

I would think that you might even be able to reduce that more by encouraging short-term maybe of under two hours, but that, I am sure, is reflected in your study. That is not my expertise.

My main concern here is traffic flow, how this will change traffic flow, because right now you can really go from Forbes and travel around to Phipp's to Carnegie Library and back over to Bigelow. Will the traffic flow be changed considerably at

all?

Mr. Young:

No, it will not. All those roads you see there will remain open with the same flow of traffic. You will be able to come in Bigelow, come around from over Schenley Drive, go from Schenley Drive back up to Forbes, and you will also be able to come up Schenley Drive, because there is a big movement of traffic that comes from Squirrel Hill up Schenley Drive and makes a left turn to come back up to Bigelow, up parallelling Forbes, going back that way to go back up Bigelow. Those movements would all continue.

Mr. Cohen:

Okay. Where will the attendant booths be? This goes to my concern that there will be traffic backed up either onto Forbes Avenue or onto Schenley Drive.

Mr. Young:

The primary entrance and exit to this facility will be off Roberto Clemente Drive. It would be our intention really to have another exit so when we have a lot of traffic in there and people want to get out, say you come out of the Carnegie and a lot of people want to exit quickly, what we would do is have two exit booths there so people can come out to go back up Bigelow or come out on Roberto Clemente Drive.

Mr. Cohen:

But the only entrance at the moment would be only Roberto Clemente Drive?

Mr. Young:

We always like to have primary entrance and exit and an alternate entrance and exit, because if something were to happen at the one we could then fall back to the other one.

Mr. Cohen:

You don't see a serious backup problem onto either Forbes or Schenley?

Mr. Young:

No. Again, the reason that we want the traffic primarily coming in off of the entrance off Roberto Clemente Drive, is there is some diagonal parking there on Roberto Clemente Drive. What we are proposing is those ten stalls be taken off, and the queuing of cars coming into the facility would be done right

along there, thus taking any queuing off the Forbes Avenue side.

What you get now coming in is queuing of cars coming in off Roberto Clemente and right directly across from Carnegie Library. That is what we really would like to try to avoid.

Mr. Cohen:

Last question. This is a five year lease. My concern is that even though this is going to improve the parking situation -- I am going to vote for it, it seems like a good thing -- it is only going to improve it by 95 spaces or so. Can we start moving now and have we started moving on the long-term solutions you mentioned before?

Mr. Young:

Yes, we have. It increases the number of spaces by 95. The spaces out there, though, turn over about four times for each space, so it is our expectation, rather than having 1200 cars per day, we'll have something like 1400 or 1500 cars per day that will be able to utilize those 300 spaces. So we will be increasing the number of people able to come in and out.

To answer the second part of your question, we have been in discussions with the University of Pittsburgh, the Planning Department, the Carnegie, the Parks Department about parking needed. As I mentioned before, we are starting to take a very hard look at collector garages, primarily that is the direction we are going in, to try to put collector garages on the peripheral area of Oakland to try to reduce the number of cars going into and through Oakland.

Mr. Cohen:

Are we looking to the University of Pittsburgh and the County, not only for their ideas, but also for their monetary contributions to this long-term solution?

Mr. Young:

We are certainly looking to have a cooperation with the institutions, and I am going to say that in a very general, broad sense, because they are in a sense the generators of the traffic, and we recognize that a portion of that traffic is the responsibility of the Public Parking Authority. So we are going to be looking to the University of Pittsburgh, the hospitals, the medical center complex out there, the Carnegie, to all the participants, because we are all in a real big problem.

Mr. Cohen:

I would encourage that for all of those institutions, including the county, because Carnegie Library is very much involved here, to contribute to the capital cost of that

long-term project.

I will save my question about why valet parking works here and doesn't work in Shadyside for another time.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

(MR. FERLO'S COMMENTS ON BILL NO. 539 - Wednesday, 4/4/90)

Mr. Ferlo:

Director, first of all, I wholeheartedly support this initiative as long as it is a transitional plan, because I really believe strongly, long range a large facility is needed underground.

I would like to discuss a couple issues. One is the issue of the timetable. Mr. Cohen raised the question of what the construction timetable would be relative to some of the major sports events that go on in Oakland and the timing of the school year. What is the scenario for the timetable?

Mr. Young:

The Parking Authority Board took an action in anticipation of an approval to hire an architectural firm to start work. Really, the Authority staff has been working on this project for more than a year. We have met with the University, the Carnegie, the Planning Department, Parks Department and the Oakland community generally to tell them about the conceptual idea. It is our anticipation that we would be able to get this work started sometime around June or July of this year, so that we would have 50 percent of the surface area completed by September, so that when students come back in September they could start using it. And again, our expectation there would be once we at least got a portion of a facility opened, then the contractor could then take the rest of the year, obviously, depending on the weather, to try to finish off the shrubbery and things like that.

Mr. Ferlo:

How do the fees relate to the cost for the construction and design? How big of an item are we talking about? I assume this is Authority bond funds?

Mr. Young:

Yes. We have not yet put together a financial plan in terms of how we would pay for it. We could use Authority bonds, we could get a short-term loan. We are looking at an approximate estimated construction cost of somewhere around \$500,000.00. I know that may sound expensive, but essentially what we are going to be doing is taking up the asphalt, the curbing, the center island that is out there, fixing the base, redoing some of the drainage patterns, putting in a reasonable low cost, new curbing, whether it is poured curbing or prefab curbing or whatever we can, but certainly recognizing the sensitivity of the area in terms of who the neighbors are around there, putting in some very nice shrubbery, trees and things like that to make it look aesthetically pleasing.

Mr. Ferlo:

I would ask that you please meet with Director Gaetano on the issue of purchasing asphalt from our plant.

Mr. Young:

I have been in touch with Director Gaetano, and that is certainly one of the things we will be doing.

Mr. Ferlo:

On the long-range issue, I had envisioned and have even had discussions with National Development just talking out ideas out loud on the issue of this facility, and I wasn't aware that there were covenants on this land in relationship to Schenley Park. My vision for this parcel had to do with not only an underground garage, but a Mellon Square kind of top with some type of commercial activity, I use the phrase "bistros", but some type of a commercial activity in and around a Mellon Square kind of top. I thought with the demise of so much of the commercial available space along Forbes Avenue, everything is either a hot dog shop, a Rax, or McDonalds, that there really is no longer any smaller square footage commercial retail space. That was my dream for the area.

Are we clear that legally certain things cannot happen?

Ms. Brown:

Yes.

Mr. Ferlo:

How are we clear, Director?

Ms. Brown:

We are clear. We have the will of Mary Schenley, and that is part of the original land that was donated by Mary Schenley. It says it cannot be used for private purposes.

Mr. Ferlo:

But recognizing that so much has changed in relation to this parcel as it relates to the major corridor along Forbes, it is so distinct from the bulk of Schenley Park, which is across the bridge, is there precedent for going to court and re-interpreting?

Ms. Brown:

Well, I think there are avenues to do that, legal avenues, to do that.

(Deleted text.)

Mr. Ferlo:

But my concern is longer range, I hope we are not limited by the covenants in relation to what is the best and highest use for this property, not only in terms of parking, but in terms of development of a business plan that is going to make it swing and pay for itself. I don't think it should just be limited to parking. I think we can talk about a number of other concerns that Oakland has as a community relative to this land. I hope that if we have to have some kind of preliminary discussions with the Court, or whatever you would refer to it as, I hope that our planning is as broad as possible and as creative as possible, not limited by whatever narrow constraints might exist relative to this land.

If this were in the bulk of Schenley Park, I would not be suggesting that or anything of the sort, but this piece of parcel of the park itself is distinct and separate from the greenway of the main bulk of the park. I think we need to look at that; I hope you will in your planning discussions.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

(MICHELLE MADOFF'S COMMENTS ON BILL NO. 539 - Wednesday 4/4/90)

Michelle Madoff:

I hate to be the only voice of dissension, but I am looking at your design and I presume it is very, very, very preliminary, because there aren't any more cars on this thing than there are here; as a matter of fact, they are taking cars away. If you look at the comparisons, you're taking peripheral parking away on the outside roads where people park. I am through that area day, night, morning, afternoon, I am there all the time. I have never, in the years I have lived here, had to back up, wait for any length of time. And it is not an eye sore the way it is physically set up now. I am concerned that we are going to turn this into what we did in both the Shadyside and Squirrel Hill lot, and the one in Squirrel Hill didn't work so you took it back and changed it back to a metered lot.

Now, when we are giving you permission to go out for a five year contract, we are looking into five years of disaster if it doesn't work out. I am concerned about that. I think you are going to create an eye sore. It is not offensive the way it is right now. I think you could turn it into something offensive and I don't think you're gaining the spaces you say you are gaining.

Furthermore, even if you use the design you have here, there are so many spaces you could be using that you are not using.

Third, why do you need an attendant? If you create the parking spaces with an ingress and egress, all you do is go in and park in the space that is available and you have a meter and you don't need an attendant. I don't know what is going on.

Fifth, or whatever I am up to, whatever the costs are, Mr. Ferlo, the parking makes up for the cost within a reasonable period of time, it pays back to the Parking Authority whatever the costs are.

There is no reason on earth we couldn't turn the top into, once we go into an underground parking lot, into some kind of facility that the University would operate, some kind of bistro that would be attractive and make money and make it into something charming, if you have to go around the statute that says the way it was decided. It was decided to the University.

Ms. Brown:

This is our property, not University property. Schenley Park it is our property.

Michelle Madoff:

I see. Then the alternative is to go into Court and talk about the costs and availability, what have you. But I wouldn't change what you have there. I don't know why you are doing it. Go under ground. I don't think you have that kind of problem. If the University needs more space, let them build it.

What I am also concerned about is the long-term parkers are going to come in here and leave their cars all day, which is what they are doing now. The students can't get their parking at all, they are not having any availability at parking. We are talking reality here.

Until I see better plans, I am not going to vote for this.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

Michelle Madoff:

I have watched two specific areas of Shadyside and the Squirrel Hill area where meter parking was removed and valet parking was put in. It became an absolute disaster. It's congested. It's crowded.

We're not going to gain that many spaces. As a matter of fact, in my observation, we're going to lose some or it will be a wash because they're removing spaces on the outside.

I think the long term solution should be addressed, not an interim solution. It's not that I'm opposed to solving the problem; I'm opposed to the way it's being solved.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 557

A Resolution entitled, "Resolution providing for the rental of two (2) charter buses for elderly city residents to attend a lobbying effort in Harrisburg, PA on April 23, 1990, in support of House Bill 700, The Medicare Overcharge Measure (MOM), at a cost not to exceed \$1,500.00, payable from Code Account 1001-1 (100115), Miscellaneous Services, Supplies and Equipment." ---(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 612

Report of the Committee on Public Safety for

April 4, 1990 transmitting two resolutions and two ordinances.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 524

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center For Emergency Medicine of Western Pennsylvania (CEM)/Infectious Disease Control in connection with Emergency Medical Services of Pittsburgh and providing for the payment thereof."

Which was read.

Also,

Bill No. 525

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center & Shelter of Greater Pittsburgh for the furnishing of professional services for the benefit of residents of the City of Pittsburgh during 1990 and providing for payment of the cost which is not to exceed \$30,000.00, chargeable to and payable from Code Account (PSTA), Index Code (253450), Bureau of Administration, Department of Public Safety."

Which was read.

Also,

Bill No. 497

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Eight-Fire Prevention, Chapter 801-Adoption and Enforcement, Section F-702.0-Educational Occupancies and Section F-704.0-Use of Group

1-2-Incapacitated Care are hereby supplemented by adding Subsection F-702.4.1 and F-704.1.1 requiring evacuation plans for day care facilities and child care facilities."

Which was read.

Also,

Bill No. 498

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Ten-Building, Chapter 1007-BOCA National Building Code Adoption, Article 3-Use Group Classification, Sections 304.0-Use Group E, Educational Uses, Subsection 304.1.1-Day Care Facilities and SEction 307.0-Use Group I, Institutional Uses, Subsection 307.3.1-Child Care Facility; and supplementing the Pittsburgh Code, Title Ten-Building, Chapter 1007-BOCA National Building Code Adoption, Article 5-General Building Limitations, Section 501.0-General Area and Height Limitations, by adding Subsection 501.6-Day Care and Child Care Facilities, Article 8-Means of Egress, Section 807.0-Types and Location of Means of Egress, and Section 824.0-Means of Egress Lighting, by adding Subsection 807.5.3-Day Care and Child Care Facilities and Subsection 824.5-Day Care and Child Care Facilities by making changes in the use group classifications and by imposing limitations on travel distance to exits and providing for egress lighting." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Cohen:

I'd like my remarks on Bill Nos. 497 and 498 brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NOS. 497 AND 498,
WEDNESDAY, APRIL 4, 1990)

Mr. Cohen:

I believe Fire Chief Harpur and Dom Cimino are here.

I want to thank you both for coming back. The reason I moved to recommit this bill was because there were still outstanding questions in my mind about it. It's quite confusing. I have both volumes of the BOCA Code here.

I won't take too much of your time but this is such an important area of day care and of course the regulation of day care is important but we have to do it in a responsible way.

I think it might be best to start with the second bill which is 498. And what it appears to me to do is, in the first two sections there 304.1 and 307.3, is to re-define a day care facility and a child care facility with respect to the number of children involved. One under a Group "E" category for educational and one for a Group "I-2" category for institutional. Is that what is happening here and if so why, why is being re-defined?

Mr. Cimino:

Again, I may not have explained it thoroughly at the last meeting.

If this legislation was not submitted, it would not change the Code as it exists at all. All this legislation is doing is to try and clarify the language of the Building Code. By that I mean, first of all, language of the Code you must classify the use group. The use groups are day care and child care. You do not fit into one of those categories until you have six or more children. If you have five children, the Building Code does not regulate any of these uses. Now the language that we're trying to clarify in the Code is stating if you have children under two and one-half years of age, we're saying if you mix them together with one child under two and one-half years of age with children over two and one-years of age, we're clearing it up to state that it then becomes an "I-2" under the use group. The Code already says that but you need an interpretation to read that in.

Mr. Cohen:

Okay, so when it goes into an "I-2" classification, how does that change the regulations for that facility?

Mr. Cimino:

It makes the restriction under the Code more stringent because an "I-2" requires that that facility be sprinkled. That is the only difference.

Mr. Cohen:

It would be a sprinkler system for an "I-2" but not for an "E" classification.

Chf. Harpur:

I might say that "I" is institutional.

Mr. Cohen:

And "E" is educational. So it's saying when there's a larger group of children both over and under two and one-half years of age, it's an institutional use requiring a sprinkler system and if it's a smaller group -- in this case I guess five --

Mr. Cimino:

-- not so much a smaller group. Both of them include six or more children.

Mr. Cohen:

But if it's a mix of over two and one-half years of age and under two and one-half years of age it becomes an institutional use?

Mr. Cimino:

"I-2" as classified under the Code.

Mr. Cohen:

And that would not apply to currently existing day care centers; is that right?

Mr. Cimino:

None of this legislation is retroactive to existing facilities that are legal occupancies.

Mr. Cohen:

One of the concerns that was expressed that I share is whether or not this would apply to private homes to the common situation where a working mother would drop her child off on the way to work in the morning say at a friend's house or a neighbor

and maybe they even enter into a financial agreement for that friend or neighbor to take care of the child while the working mother is at work, would this apply to that situation?

Mr. Cimino:

Again, without the legislation the Code would then trigger compliance if it was a six or more children. If you have five children in any facility, the Building Code would not apply.

Mr. Cohen:

The only reason that there is a question in my mind with respect to that is because under the last section of Bill No. 498, it does use the phrase one or more children. It says, "every room or space in a day care or a child care facility which accommodates one or more children". It seems to me to be inconsistent with the definition section which says five or more children.

Mr. Cimino:

The reason that that is there is first of all you must classify the use of the structure of the use to be permitted there, so if it is a day care or a child care facility then we're saying it's six or more so it does not affect the way it's worded.

Mr. Cohen:

My concern is that after you and I are gone either from city government or from this world, this one or more children is going to still be there and somebody may want to apply it to a private home which they could.

Mr. Cimino:

The reason that's in there if I could give you an example such as Council Chambers and Mike Perry's office, we wanted to use this as a day care center and you had six or more children, we would classify it one of these uses. If in Mike's offices they wanted to have children there in cribs, we're saying that every room or space in this facility must have emergency lighting but only if it's a classification of six or more children.

Mr. Cohen:

Would it impair the legislation if we take that phrase out?

Mr. Cimino:

No, it wouldn't.

Mr. Cohen:

Why don't we do that? I would move to amend this legislation Mr. Chairman to take out the phrase which accommodates one or more children in Section 824.5.

Mr. Ferlo: Second.

The Chair: We're voting on the amendment to delete the
"one child" part.

Those in favor of the amendment indicate by saying aye?
Opposed? The ayes have it. Now may we vote on the bill please?

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
 STENOGRAPHIC REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 613

Report of the Committee on Engineering and Construction for April 4, 1990 transmitting sundry resolutions to Council.

Bill No.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 510

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Institute in connection with the Scheduled Asbestos Abatement Program at the

Institute; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 511

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with Miscellaneous Renovations to Various Branches; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 512

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Carnegie Library (The Carnegie) in connection with the Central Branch Rehabilitation; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, there are two issues that I would like to address. Sometimes people take things out of context and they don't hear what's really being said and pain is caused to some people. I would never want to do that intentionally and if an apology is in order I'd like to make that publicly in that when I discussed the issue of having a Director and the need to have a Director for the Water Department, there are several people who listen to cable who thought that I was, in some way, demeaning or not appreciating the work that had been done by all the people who work to preserve our water supply and the heroic efforts the did, actually going out on boats. They could have been incinerated if there had been a spark.

That was not my intention in any way, shape or form. What I was saying was, in the same way, that a person who would head a Water Department, an engineer, would not be expected to crowd control in a riot or to undertake solving a crime or being involved in that kind of activity in the same way I wouldn't expect the technology to be part of the knowledge of somebody in the Safety Department or somebody in the Water Department who does the financial aspects to understand the slurry operations, the activated carbons, and to understand a lot of the things that were going on.

I was just making the point, and I want to

make it again, that the Administration must move expeditiously to get us a head of the Water Department. What would have happened if Alex Sciulli had been out of town? What would have happened if we weren't blessed with somebody like Mr. Bruecken who has been here forever who really understands the process? Or Stanley States who is over at the Water Department who are geared and know how to take care of keeping our water the Champagne of Waters?

So, again, if anybody was offended or misunderstood, I apologize. And next Tuesday I'd like my colleagues to join me in a universal joint resolution to honor those people who really worked to preserve the water. There is a resolution that's being prepared; I didn't do it today because of the holiday. I didn't know we were going to meet today, I thought it was tomorrow and I wouldn't have been here. Again, I thank you for that.

On another subject. All of us read and heard with dismay the statement that we are competing with New York in the crime rate.

I would like to respectfully request that we have a meeting and briefing with our Police Department, Safety Department, and ask Mr. Cannon whether he wants it as a post, whether he wants to meet with us to brief us.

I'd like to know how that is happening and what this Council can do to help alleviate that situation. If it's more police, so be it. If the facts are distorted, I'd like to know. If it looks worse than it really is, I think we should know that and the public should know that. And if, indeed, it's fact, I think we have to face up to it and see what we can do to solve the problem.

The Chair:

Prior to the meeting, I would like them to send a copy of the report that everyone is talking

about. Council hasn't received it.

Michelle Madoff:

I don't know where the report came from; I only know what I read in the paper. I don't know who compiled it and what the basis is. I think that's what Mr. Wagner is saying. On what premise? Was it purse snatching or was it rape? Was it murder? I'd like to get a little better feeling for it and I think that's a good idea.

But I think we should give Glenn Cannon an opportunity to explain that he and the others are doing everything in their power to make it the safest City. I thought that things were pretty good.

I would like to know, again, what we on Council can do to help Glenn. This is not a criticism. Don't misunderstand it, anybody. That's not what I'm saying. I'm saying, let's be informed.

The Chair:

Mr. Perry, could we set up a meeting within the next two weeks and ask for a copy of that report to all Councilmembers prior to the meeting. Thank you.

Mr. Cohen:

On that issue, I just want to say that I agree and that I think we all knew that crime was rising in Pittsburgh and what this report has done is put hard figures on it. And if those figures in that report gives us an opportunity to have a productive discussion with the head of Public Safety to look into how we're enforcing crime and what can be done to better enforce it, then I think it's a good thing.

Mr. Ricciardi:

Mr. President, this Wednesday, April 11, at 1:00 in Council Chambers, I scheduled a post agenda hearing on the Urban Planning Design of 21st Street in the South Side of Pittsburgh. I have invited several South Side community based organizations, the South Side Planning Forum, the South Side Community Council, and our local development company along with City department directors, Planning, Engineering and Construction, and Public Works.

So, I'd like to invite my colleagues to attend, if they will, and also for the public to send in any comments to my office.

The Chair:

Thank you.

Mr. Milliones:

Mr. President, may I request that a post agenda be scheduled to deal with what I perceive to be a real problem in terms of the number of minorities that are hired in the EMS Program since we were just talking about the Public Safety Department.

I perceive it to be a problem, the small percentage of Blacks that are employed by EMS given particularly the historical significance that this was a program that was taken over by the City from Freedom House.

So, I really would like to attempt to address this problem given the small number of minorities that are employed in that program.

The Chair:

Would you like that post this Wednesday or next Wednesday?

Mr. Milliones:

We can do it whenever is convenient for all.

The Chair:

Mr. Perry will arrange it.

Mr. Darkins:

I would like to join Dr. Milliones in what he is asking to be done because I think it's necessary. We do have some statistics already and I think it should be brought forth to the City of Pittsburgh as well as to City Council so that we can deal with it accordingly.

Michelle Madoff:

I was going to ask the question whether, it's such an important issue and I certainly support your concern, did you want to do it as a separate post agenda or did you want to do it when Glenn and everybody is here to talk about the overall crime situation?

Mr. Milliones:

I see no reason to co-mingle it with the crime issue.

Michelle Madoff:

I was confused. I thought you meant it separately. I just wanted it clarified.

Mr. Regan:

Mr. President, I would like to wish a happy holiday to my two colleagues. I'm sure if they didn't make it, they wouldn't have been here today. So I'd like to wish happy holidays to Michelle Madoff and my pal, Dan Cohen.

Mr. Cohen:

Thank you, Councilman. I appreciate it.

And on the motion of Mr. Ferlo

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, April 17, 1990

No. 16

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, April 17, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Could we have Bob Longo and Todd Roulon-Miller of NeXT come up here please?

Mr. Cohen presents

No. 631 WHEREAS, NeXT Incorporated, a manufacturer of computers designed for users in education, business and government, was founded in 1985 by Steven Jobs, who also founded Apple Computer; and

WHEREAS, NeXT chose to open its first regional sales office in the country, the Eastern Regional headquarters, in Pittsburgh in 1988 and Mr. Jobs is visiting Pittsburgh on April 17 to officially open the headquarters; and

WHEREAS, key factors in NeXT's decision to locate in Pittsburgh were Pittsburgh's quality of life, its central location to eastern markets, the low cost of building an operation here compared to other major cities, the strong local business community, the easy access to a strong transportation hub, the presence of two major universities, and the aggressive desire among many Pittsburghers to bring NeXT to Pittsburgh; and

WHEREAS, many public organizations were involved in the effort to attract NeXT to Pittsburgh, including the Mayor's Office, the Governor's Response Team, Penn Southwest, and the Pittsburgh High Technology Council; and

WHEREAS, this teamwork is an example of the type of marketing effort that is required to attract vibrant new enterprises to Pittsburgh in the increasingly competitive globaleconomy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes Steven Jobs to the City and wishes the newly opened Eastern Regional headquarters much success, and hopes that it expands in the future.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, President and Members of Council. Steve Jobs is not with us today, but we do have Bob Longo and Todd Roulon-Miller of NeXT and I'm very happy to have them here today.

I think that in conjunction with the announcement that is occurring right now that the Sony plant is going to locate in this area bringing another 2,000 jobs, that this is really a great day for economic development in Pittsburgh, and I'd like to invite Mr. Roulon-Miller to say a few words.

Mr. Roulon-Miller:

Thank you, Dan. This is a particularly exciting time for us and we really appreciate the formal recognition from you all.

It was about two years ago when we first hired Bob Longo and my first call to our eastern headquarters in Pittsburgh was to Bob Longo's living room and his four year old son, Ben, answered the phone. I think we've taken a step up in the last two years to the point of now formally dedicating an office, which we did last night, and having Steve Jobs in town today to talk more about that with the local constituencies.

We're very excited to be here on a few accounts. First of all, a very close technical relationship with Carnegie Mellon University which is a great asset to this City locally.

Second, the fact that we believe we can hire and attract the best people for an eastern operations working for NeXT out of Pittsburgh says a lot about the constituency here and how we can work with you all.

Third, and really a contributing factor of this was the quality of life issue. Very possibly it could have been Boston or New York where we placed our office, but frankly, the setting of Pittsburgh both in terms of home and lifestyle and economics locally was very attractive to us.

Finally, the recognition of Pittsburgh as a major business center, not only nationally but certainly in this regional area was really critical to us.

So, we absolutely appreciate all your support and the welcome you've given us today. Thank you.

The Chair:

Thank you, gentlemen.

Mr. Cohen:

I have one more resolution this morning. Would the members of the Center For Victims of Violent Crime and Mary Anne McClain who is the President of MADD, Mothers Against Drunk Drivers, come up here please.

Mr. Cohen presents

No. 632 WHEREAS, the fifteenth annual commemoration of National Victims' Rights Week is April 22 to April 28, 1990; and

WHEREAS, some 35 million Americans become crime victims each year, and victims of crime and their loved ones in the City of Pittsburgh often face severe financial, physical and psychological losses; and

WHEREAS, violent crime seems to be increasingly brutal due to the increase in drug-related criminal activity and the aftermath of criminal violence may cause additional losses to victims due to inappropriate treatment by social or government institutions; and

WHEREAS, certain groups - such as the surviving loved ones of homicide victims - are often undeserved in many of our communities, as are the poor, the young, the elderly, the chronically mentally ill, the homeless, and the differently-abled; and

WHEREAS, there are still too few services for victims and too little attention to establishing their rights, but fortunately, thousands of our fellow citizens in their work and their volunteer activities are seeking to provide needed help to victims of crime and crisis; and

WHEREAS, many victims and survivors of crime have demonstrated extraordinary courage and strength as they have sought to help themselves and others, and such victims, survivors and victim advocates should be supported in their work to ensure a better life for us all.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of April 22 through April 28, 1990 as Victims' Rights Week and urges all citizens and institutions in the City of Pittsburgh, both public and private, to support the establishment and enforcements of victim rights and services through participation in local and state activities commemorating those rights.

Mr. Cohen moved to adopt the resolution.

Mr. Ferio seconded the motion.

Which motion prevailed.

Mr. Cohen:

It's really an honor to have you all down here because there are too few people who are really fighting on behalf of victims and I commend you all.

I would like to ask Mary Alice Gorman, Executive Director for the Center For Victims of Violent Crime, to say a few words.

Ms. Gorman:

Thank you for the proclamation today and thank you for the support and cooperation and the unique situation that exists in Pittsburgh with regard to cooperation with the entire criminal justice system and those in service to victims.

Actually, this isn't our whole office. Although this may be hard to believe, there are 140 professionals employed in Allegheny County alone serving victims, and there are nearly 400 volunteers. The services that the Center provides every day and every year are actually more in the field.

Since this is a proclamation for Victims' Rights Week, I thought I'd try to give you some sort of a feeling for what it is that happens in a week's time that the Center does. Most of our work is out in the hospital emergency room, in the court room, in the Magistrate's courtroom. Mr. Regan has seen advocates and, actually, he was one of the original starting forces 15 years ago in the founding of the Center.

I think that to get some sense of what happens there, every week in criminal court in Allegheny County there are 320 cases that are scheduled. Our advocates can only provide assistance in some of those cases. In the Magistrate's courtroom, there are over 250 preliminary hearings every single week in Allegheny County. In those 250 preliminary hearings, psychologists have documented that victims, the first time confronting the person who victimized them, go through the highest point of stress, the highest point of trauma, next to the attack itself.

In a week's time, we see 12 people who file victim compensation claims with the State of Pennsylvania. Pittsburgh's Public Safety Department actually has a program that is unique in this country. The Records Department in the Pittsburgh Public Safety Department sends out information about crime victim compensation to every person who files an incident report. Those people are referred directly to our office and we, since the very end of 1986 when we started up the full-time program until a month ago, we brought back \$1 million in cash, reimbursements for out-of-pocket losses that people incurred being victims of crime. We thought that was pretty great. About 65 percent of that is only City of Pittsburgh residents.

This gives you some sort of an idea, but I think it never strikes home because everybody in this room is looking around thinking, well, gee, I'm really glad somebody is doing something about this. I hope it doesn't happen to me or anybody I know.

In a week's time in the City of Pittsburgh there will be over 70 violent crimes committed. That's everybody in this room, if it gives you some sort of impression about what can happen. But what can happen in terms of people recovering from the aftermath is the work that MADD and the Center For Victims and many other victim

advocates do. It's helping people to get back with their lives again. We're often doing proclamations, we're often doing presentations, because the victims have recovered and they're back to work and they're back with their lives. Every person who sees us can become better, can improve.

The logo that we have which is this shattered glass disk, tells the whole story. When a person is victimized, the world falls apart. With the help of a victim advocate, piece by piece, it can be glued back together again. When you look at a shattered disk, you can tell it broke, but it's still a circle again.

That gives you some impression of the work that the Center does and every victim advocate in Allegheny County. Thank you very much.

The Chair:

Thank you all very much for coming.

Mr. Darkins:

I'd like Ms. Wanda Vierthaler and Mr. Guy Read and Faith McCoy to come forward, please.

Mr. Darkins presents

No. 633 WHEREAS, African Americans are diagnosed with cancer and die from this disease more often than any other population group in the United States; and

WHEREAS, the National Cancer Institute is supporting National Minority Cancer Awareness Week from April 15th to the 21st to encourage African Americans age 40 and over to have life saving cancer detection tests and take preventive measures against cancer; and

WHEREAS, cigarette smoking is the reason for almost all lung cancer; and

WHEREAS, lung cancer is the leading type of cancer in African Americans and smoking also causes other heart and lung problems; and

WHEREAS, in 1988 the Health Education Center organized the Homewood-Brushton Clean Lung Project to encourage both young and older African Americans in the City's 13th and 14th Wards to stop using tobacco products; and

WHEREAS, effective April 18, 1990, the Community College of Allegheny County's Homewood-Brushton Branch will become a smoke free environment; and

WHEREAS, many businesses in the community have a no-smoking policy; and

WHEREAS, the American Cancer Society Inc., Pittsburgh branch, actively supports the Homewood-Brushton Clean Lung Project by participating in community events and making cancer prevention materials available to the community; and

WHEREAS, the works of the Health Education Center, Homewood-Brushton Clean Lung Project and the American Cancer Society Inc., are efforts that will advance the health and longevity of African Americans.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the week of April 15th as National Minority Cancer Awareness Week in the City of Pittsburgh and recognizes the Health Education Center and the American Cancer Society Inc. as major organizations striving to combat cancer in the City of Pittsburgh and across the country.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have the Director of this organization here today and also a representative from the American Cancer Society and I'd like them to say a few words.

Ms. Vierthaler:

Thank you, Reverend Darkins and Members of Council. I appreciate being here very much and for your endorsement of this National Minority Cancer Awareness Week. We are appreciative of your recognizing the fact that minorities, in fact, do, in many cases, disproportionately suffer from cancer better than others and this is an opportunity for us to make the City of Pittsburgh more aware of that reality.

I also want to thank the State of Pennsylvania for helping us support the work we do in Homewood-Brushton and soon we expect to expand for the next year for the whole City of Pittsburgh.

I appreciate your thought and concern. Thank you.

Mr. Read:

On behalf of the Board of Directors of the American Cancer Society's Greater Pittsburgh Unit, I would like to commend Councilman Darkins for all of his efforts towards the Homewood-Brushton Clean Lung Project which was designed to eliminate tobacco use in minorities through education and public awareness of the dangers of tobacco.

Unfortunately, for all of us, cancer is an equal opportunity disease. It is the same disease, the same uncontrolled spread and growth of abnormal cells in all ethnic groups. But if there is a similarity in the spread of cancer in minorities, it is that they have a higher impact from cancer because of lack of information and sometimes resources which lead to late diagnosis and insufficient access to quality medical care.

The American Cancer Society stands ready to help in this work. We will continue to educate the public of the dangers of smoking with programs such as "Tobacco Free Young America" which will be distributed to all licensed physicians in Allegheny County, particularly those in the 13th and 14th Wards.

Again, I commend Councilman Darkins for all his efforts and wish him the best in his continued worthwhile project.

The Chair:

Thank you all.

Mr. Darkins:

I'd like to ask Mrs. Alice Childs to come forward, please.

Being quite young some years ago at 14 years old, I was united with this organization and when found at the convention and they called upon me, I found it an honor not only to read this resolution but that this organization should be honored because its well established and has been here for some years.

Mr. Darkins presents

No. 634 WHEREAS, under the leadership of Brother Jesse B. Green, the Greater Pittsburgh Gospel Choral Union was organized in

Pittsburgh on January 28, 1949 at Macedonia Baptist Church; and

WHEREAS, the Greater Pittsburgh Gospel Choral is part of the National Convention of Gospel Choirs, Inc.; and

WHEREAS, during the week of April 16th through April 20th, the Greater Pittsburgh Gospel Choir Union will host the 57th Annual Board Meeting of the National Convention of Gospel Choirs and Choruses, Inc. at the Hyatt-Pittsburgh Hotel; and

WHEREAS, over 1,000 guests will attend the Convention and will spend thousands of dollars at hotels, restaurants and businesses throughout the City of Pittsburgh, making a significant contribution to the City's economic growth.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh graciously welcomes the National Convention of Gospel Choirs and Chorus, Inc. to the great City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, on behalf of the residents of this City, extend to the conventioners hospitality, kindness and an invitation to hold future conventions in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Ms. Childs:

On behalf of the Greater Pittsburgh Gospel Choral Union, our officers, members and boardmembers, and the Reverend Willie

Moore who is our President, we accept this proclamation with a heart full of thanks.

We thank you and may God bless each one of you.

The Chair:

Thank you.

Michelle Madoff:

This is a joint resolution of all of Council. Just because the Water Department is my committee, I'm not the only one that takes great pride. I think we all take great pride in what was accomplished during the major spill.

Would everyone please come up? I do want to tell the media that there are 167 more people that will be receiving recognition and they will be receiving their resolutions at a later date simply because a lot of them had to work today and couldn't come and we couldn't accommodate everybody here today.

Members of Council present

No. 635 WHEREAS, a massive spill occurred on or about March 31, 1990 at the Buckeye Oil facility in Freeport Township, Armstrong County, Pennsylvania, which resulted in the release of large quantities of petroleum products into the Allegheny River and then into several up-stream water authorities and affected communities in a vast region, causing a gross reduction of water services and severe damage to aquatic life and the environment; and

WHEREAS, members of the private and public sector, working around the clock in cold weather, performed above and beyond the call of duty by providing essential services under dire conditions; and

WHEREAS, the Department of the Mayor, James Turner and staff, Department of Public Safety, Director Glenn Cannon and Deputy Director Lou DiNardo, Margaret Rizza and staff, Bureau of Fire, Charlie Dickinson and staff, Bureau of EMS, Robert Kennedy and staff, Bureau of Police, Chief Ralph Pampena, Officer Edward Wirkowski and staff, Department of Water, Clarence Perkins, Deputy Director Thomas Bruecken, Assistant Director Edward Blair, Assistant Director Dave Walker, Assistant Director Stanley States, Lou Conley, Donna Sagmeister, Raymond Wisloski and staff, Department of Engineering and Construction Director Alex Sciulli, Department of Public Works, Lou Gaetano, Director, and staff, should be commended for their assistance in providing these services for the City and the surrounding area; and

WHEREAS, Stanley States and Lou Conley of the Water Department, and Police Officer Ed Wirkowski, exemplified the meaning of courageous when, without regard for their own personal safety, they took a hazardous nighttime boat ride up the Allegheny where conditions were volatile in order to find the location of the front of the oil slick.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends these individuals, as well as all other governmental workers involved in this recent episode, for their untiring efforts to insure a sufficient quantity of water during this crisis to preserve the safety, health and welfare of a large number of citizens.

Michelle Madoff moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

WHEREAS, in 1983, Bob Smizik was a columnist for the Pittsburgh Post-Gazette, and from 1983 to the present, is a columnist for the Pittsburgh Press; and

WHEREAS, Bob Smizik has covered the Pirates for over 20 years, and in 1986 and 1988, the Associated Press Sports Editor voted Bob one of the Top 10 sports columnists in the country; and

WHEREAS, this year, Bob Smizik wrote, "The Pittsburgh Pirates - An Illustrated History", a rich collection of over 100 rare, black and white photographs of Pirates teams and players, past and present, and of players' personalities and moments in Pirates history.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes Bob Smizik, a native son, for his unconditional dedication and contribution as a columnist and writer in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims this day, Tuesday, April 17, 1990 as Bob Smizik Day in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Smizik:

Growing up on Chislett Street in the East End and Hawthorne Street in Stanton Heights, I never would have dreamed that such an honor would be bestowed upon me.

I'm deeply appreciative. Thank you very

much.

Mrs. Smizik:

This has been quite an experience for all of us. Thank you.

Mr. Regan:

We have to hear from his big brother, Frank, the Principal at Minadeo School. Frank, we're going to give you one to hang on your wall, too.

Mr. Smizik:

I want to thank Councilman Regan and the other Councilmen for this honor that you bestowed upon my brother. The entire family is deeply appreciative. It's nice to see so many familiar faces on Council, people that I've dealt with in education, Dr. Milliones and Reverend Darkins. A couple of athletes; Mr. Coyne used to be one of the great runners in Schenley Park.

Just quickly about my brother, Bob. I'm now the Principal at Minadeo Elementary School and Bob taught there many years before I did. Bob was a teacher in the Pittsburgh Public School System and his contributions in the recreation program in Stanton Heights, coaching baseball and other things in that program, and also his contributions at Belmar Elementary School where he taught, and also Minadeo, have helped the City of Pittsburgh and the children greatly.

We are, indeed, very proud of this proclamation and we thank you very much.

The Chair:

Thank you all.

Mr. Cohen presented

No. 618 Resolution further amending Res. No. 50, eff. Feb. 3, 1987, as amended by Res. No. 981, eff. Dec. 11, 1987, as amended by Res. No. 63, eff. Feb. 21, 1990, entitled, "Providing for a Cooperation Agreement or Agreements with The Carnegie for design and construction of the Relocation of North Shore Drive thru a portion of Stadium Parking Lot #1, and the demolition and removal of an existing section of said Drive; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, and/or the Dept. of Transportation; and providing for the payment of the costs thereof," by increasing the total project allocation by \$160,000.00 from \$1,260,000.00 to \$1,420,000.00, chargeable to and payable from the North Shore Drive Trust Fund.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 619 Resolution granting unto Stephanie B. Mourra, 1940 Warren Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a wall around parking area on a portion of the sidewalk of Rising Main Avenue in the 25th Ward, 6th District, City of Pittsburgh. This request is made by Stephanie B. Mourra that due to an error in the construction of her driveway the wall was inadvertently constructed in the right-of-way. A fee of \$75.00 is requested to advertise this Resolution.

Also,

No. 620 Resolution vacating a portion of Rockland Avenue, Curtis Street, Ravine Street, Jasper Street, Unnamed Way, Paul Street, Laclede Street, Ihmsen Street, Pfeil

Street in the 17th Ward, District 3, and 18th and 19th Wards, District 4, City of Pittsburgh. The Port Authority has requested this legislation to complete this phase of Stage 1.

Also,

No. 621 Resolution dedicating certain parcels known as LRT 650J, 650K, 650L and 650M, all within the 17th Ward, District 3, and 18th and 19th Wards, District 4, City of Pittsburgh. The Port Authority has requested this legislation to complete this phase of Stage 1.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 622 Resolution authorizing the filing of an application or applications for financial assistance for improvements associated with the Stadium Renewal Project by the City of Pittsburgh with the Dept. of Community Affairs, Commonwealth of Pa., in an amount up to \$1,900,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 623 Resolution amending Res. No. 36, eff. Feb. 15, 1990, entitled, "Providing for an Agreement or Agreements to provide funding

for the Greater Pgh. Commission for Women at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office," by increasing the amount by \$50,000.00 from \$25,000.00 to \$75,000.00, chargeable to and payable from Code Account No. 1017, Misc. Services, Office of the Mayor.

---(SPONSORED BY MICHELLE MADOFF)

Also,

No. 624 Resolution transferring the sum of \$50,000.00 from Code Account No. 46, (004606) Judgments and Interest on Judgments to Code Account 1017, (101709) Misc. Services, Office of the Mayor.

---(SPONSORED BY MICHELLE MADOFF)

Which were read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Millones presented

No. 625 Resolution transferring the sum of \$10,000.00 from Code Account 46, Judgments (004606), to Code Account 48, Financial Responsibility First Party Claims (004804). The spending pattern of this code account fluctuates from year to year, and for 1990, a single claim has exhausted the \$5,000.00 budget appropriation. The transfer should provide adequate funding for the

remainder of 1990.

Which was read and referred to the Committee on Finance.

Mr. Regan presented

No. 626 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase refill bag valves for the Bureau of Emergency Medical Services at a cost not to exceed \$10,700.00, chargeable to and payable from Code Account 1423, Bureau of Emergency Medical Services, Department of Public Safety.

Also,

No. 627 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts for the purchase of germa-vac splints for the Bureau of Emergency Medical Services at a cost not to exceed \$14,000.00, chargeable to and payable from Code Account 1423, Equipment, Bureau of Emergency Medical Services, Department of Public Safety.

Which were read and referred to the Committee on General Services.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 628

Report of the Committee on Finance for April 11, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 555

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of D & L Plumbing, Inc. in the amount of \$9,233.04 in payment of an Emergency Contract to install plumbing modifications to the McKinley Park Service Building; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 567

A Resolution entitled, "Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement or Agreements for the hiring of

counsel to assist in the representation of the City of Pittsburgh for outside legal counsel at a cost not to exceed \$25,000.00 (Twenty-Five Thousand Dollars) chargeable to and payable from Code Account 1075, Index Code 107508, Miscellaneous Services, Department of Law."

Which was read.

Also,

Bill No. 568

A Resolution entitled, "Resolution amending Resolution No. 606, Item J, effective July 29, 1988, which authorized the sale of a vacant lot 75' x 160.17', Block 32 E, Lot pt. 293 and a vacant lot 17.07' x 161' x 50.1' RR, Block 32 E, Lot 295, located at St. Lucas Street, A/K/A Horn Street, Mt. Oliver Borough, to Thomas J. Friend and Dolores J. Friend, his wife, for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 569

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 570

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title II Fiscal, Article I, Administrative, Chapter 201, Registration Of

Tenants, by clarifying who must file and due dates."

Which was read.

Mr. Cohen:

I'd like my remarks on this bill brought forward, please.

(REMARKS ON FOLLOWING PAGES)

BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 570, WEDNESDAY,
APRIL 11, 1990)

Mr. Cohen:

Discussion. Ben Hayllar, please.

I'm putting together a dictionary of words that when I see them I'm going to have doubts about and one of them is "clarifying". What this bill apparently does is clarify language. Could we take a few minutes and decide how this language is clarified?

My understanding is that the present language is the Code says that "all owners of real property or their agents have to file tenant registration forms at the same time that real estate tax statements are mailed to the owner of the real estate". Now what this does is, it limits it to certain owners at certain times, right?

Dir. Hayllar:

Right.

Mr. Cohen:

My question is, why do we need to do this and who has the discretion as to which owners and which times are chosen?

Dir. Hayllar:

This law was passed some years ago and it's a Council-initiated ordinance. Council at that time felt correctly that there were some folks who rented apartments in the city maintained fictitious addresses or fraudulent residences with their parents or an old address outside the city to avoid the earned income tax but they were residents of the city. Council felt that it would be a good idea if the landlords had to supply to the City on an annual basis the names and Social Security numbers of all their tenants and that way the City could find people who were living in the city but were not really claiming residency and were avoiding the necessary taxes. The problem was the volume of paperwork was so large that the good intent of the law was rendered ineffective because nobody could process and follow up on all of those names. Many landlords as a matter of fact only provide partial information. What this provides would be that we could concentrate on certain areas of the city -- it does not have to be done annually but could be done every few years, the fact of the matter is that it hasn't been done annually I think since the first or the second year of the law's existence.

In certain areas of the city, Oakland, Squirrel Hill, Shadyside and certain others, there's a high transient population and those are the areas that I think this would be most effective. In many other areas of the city, the South Hills, single-family resident areas, I don't think this law would be terribly fruitful so what this would give the department the right to look at certain wards where we know there's high incidences of transient people that have come in and rent and don't live there a long time, we could find those people and the intent of the law could be fulfilled without having this administrative problem of trying to deal with this problem city wide.

Mr. Cohen:

Is there compliance right now?

Dir. Hayllar:

No.

Mr. Cohen:

I assume that it was the problem. If there were complete compliance the Finance Department would never be able to handle it anyway, would they?

Dir. Hayllar:

In the instances where these requests were sent out and the landlords dutifully return the forms, there was no way to go through the returns as accurately and carefully as you would want them to do.

Mr. Cohen:

I think this makes sense in that it gives the Director the opportunity to target certain rental properties where we have suspicion that they may not be paying taxes. What's the policy for determining which properties to target?

Dir. Hayllar:

It would not be properties specifically, it would be ward or neighborhood specific. Very stable neighborhoods you are not going to need to do this. But there are obviously some that there are multiple tenants move in and share an apartment and these are the neighborhoods that this would be effective.

Mr. Cohen:

I agree that the neighborhoods that you mentioned are ones, they have a high turnover rates especially in North Oakland.

Would this be cross checked with Business Privilege Tax collection?

Dir. Hayllar:

Yes. Most landlords have to pay Business Privilege and we would make certain that the landlord is doing that. Normally that's done, I don't think that's a real problem.

Mr. Cohen:

One concern of mine is absentee landlords. There's such a terrible absentee landlord problem in the city as a whole but specifically in Oakland. My worry is that if we're not requiring landlords any more to submit these forms, is this going to impair our ability to at least identify absentee landlords?

Dir. Hayllar:

No. Because they are the owners of the property, we have a of probably 30 landlords who have multiple properties, we know who they are and we have about 30 of them but this year we are concentrating on because they have a practice of maintain multiple tax delinquencies on their property, then they try to get off with partial payment. We are concentrating on them now as part of the Treasurer's Sale that they would be become fully paid up.

Mr. Cohen:

I'd like to talk to you later about absentee landlords but this does touch on that issue and I want to make sure that we're not doing anything that will impair our ability to go after absentee landlords but I think that this legislation -- I guess what it is, is realistic. I mean, realistically, there's not going to be full compliance with this law or the ability even to supervise compliance in your department so I think this bill makes sense?

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 629

Report of the Committee on Planning, Housing and Development for April 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 558

A Resolution entitled, "Resolution authorizing the URA of Pgh. to acquire that property in the 11th Ward of the City of Pgh. owned by Deneen Kelly, and designated as Block and Lot 83J-64 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as

blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 559

A Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the URA of Pgh. and Garfield Jubilee Corporation for the sale of Block 83J Lot 64, in the 11th Ward of the City of Pittsburgh (Residential Rehabilitation)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 560

A Resolution entitled, "Resolution authorizing the URA of Pgh. to acquire that property in the 14th Ward of the City of Pgh. owned by Henry Russell, Jr. and Howard E. Watts, Jr., and designated as Block and Lot 175P-19 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 561

A Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the URA of Pgh. and Montague R. Cooke for the sale of Block 175P Lot 19, in the 14th Ward of the City of Pittsburgh (PARK-ING)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 562

A Resolution entitled, "Resolution authorizing the URA of Pgh. to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Beatrice Nelson Lewis and Mary Alexandra Ellis, and designated as Block and Lot 23K-210 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 563

A Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the URA of Pgh. and Thomas W. and Marjorie A. Armstrong for the sale of Block 23K Lot 210, in the 22nd Ward of the City of Pittsburgh (RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 564

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land

by and between the URA of Pgh. and Helen K. Rauch for the sale of Parcel A in the 27th Ward of the City of Pittsburgh in Redevelopment Area No. 35 (REAR YARD)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No.630

Report of the Committee on Engineering and Construction for April 11, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 583

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Replacement of the Shadeland Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, nine months ago this Council heard from the people in the Westgate Broadhead Manor a very moving, impassioned plea for help from this community, and to be treated as other housing projects are being treated and other communities are being treated, not to be short-changed. Fortunately, my office taped that session for any member of Council who wasn't present who

would like to hear what happened that day. I think it is very urgent that you review that tape if you're willing to do that.

The bottom line, this is a community that is so disenfranchised on the fringes of our City, people don't even know they're there, who have been afflicted with a terrible drug problem which I think is on the way to being a lot better than perhaps any other place. They now have stopped the shooting at their children. Mothers are no longer having to grab their children and take them under cars when the shooting is going on. The drugs during the daytime on corners is not as prevalent or as dangerous to the community. People are not having bullets in their houses but they have another problem.

The people who have a very moderate income cannot buy a bottle of milk without taking a jitney. They can't go out and buy pampers for their children. There's no way they can get the bare necessities of life without having to spend -- Can you imagine any of us spending \$10 for a bottle of milk? It's bizarre.

We made a commitment. Everybody on Council agreed that we would move to see this community receive a mere \$75,000. And a say "mere" because compared to other communities, it's a pittance. And that money would be used to rehabilitate one of the buildings out there so they could turn it into some kind of facility to serve the community on their bare necessities and services.

Nine months later, through the machinations of government, and I believe that Jane Downing, Louise Brown and George Whitmer must get together and resolve the problem. That money was approved by this Council, unanimously approved. The Administration was supportive. All that is just rhetoric and verbiage. The people haven't had the services and they're still suffering from this problem. Those three

must get together and resolve the problem. Everybody is saying, "It isn't my problem; it's your problem."

The money was appropriated through some manipulation that I don't quite understand into URA's bond money. Now they're being told that this bond money cannot be used.

Now, if people of good will cared to put their efforts where their money is, where their mouths are, and we made this commitment, we have got to see that in the next two weeks that commitment is adhered to because the people in Westgate and Broadhead have got to the limit of their frustration. They have told me that they are about to hire buses to come and sit in front of our office and the Administration's office with their children, day and night, to make the point, a point that they are justified in making. And I must tell you, should they decide to do that, I'll sit with them.

So, I am asking this Council, through the President of this Council, to move immediately to live up to our commitment. We made that commitment. Let's be people of our word.

I would like to have, if it's appropriate, I'll leave it with you, Mr. President, I would like to have a show of hands or a voice vote that we support whatever it takes to get this commitment that we made nine months ago. May I do that, or is it inappropriate?

The Chair:

The previous Council in the budget process made that commitment and this Council has shown great faith living with that budget. We asked the URA to allocate \$75,000 in services and assistance and monies to Westgate. We fully hope that they move forward in doing that.

Michelle Madoff:

Do we have a commitment from this Council to do something about it? Just saying we hope they're going to do it when we made a commitment -- If they're not going to do it, we've got to find the money and do it. We don't have any choice.

I'm just suggesting that we have some kind of a meeting with the Administration, URA, whatever is necessary to make this happen. It isn't just enough to say we hope, we think. We made a commitment; they're going to do it. We said that for nine months. Meanwhile, these people are paying \$10 for a bottle of milk. What are we going to do to make it happen?

I'm going to encourage them to come in with their buses if we don't have a commitment in the next two weeks.

Mr. Ferlo:

I think the previous Council, and I would hope certainly this Council, is fully supportive of the efforts by the Community Development Corporation in that community to transform a rec center into a commercial area with basically the convenience stores that Michelle talked about, a banking center of some sort, and a laundromat. I think they were the three main businesses that were being sought.

I think the issue is, what is the status of the development and I think we need a report from Director Whitmer from the URA. Michelle is correct in pointing out the \$75,000 commitment and I think we need a report from Director Downing.

The last obstacle that I heard that I know that we did overcome was getting Parks and Recreation out of the rec center and relocated. That's going to happen utilizing other facilities in the community. So that was the last obstacle

that I was aware of, but I think we need a report from Director Whitmer and Director Downing as to progress that's being made on the commercial center that's being worked on by the Community Development Corporation.

Michelle Madoff:

I spoke to George Whitmer twice yesterday. George really wants to help. He says that the money isn't bond money and under law he's not allowed to release that money. Bond money cannot be used for this purpose. Therefore, if that is the case, we've got to find money somewhere else. We can't just say, let's just have a report. The report is, they cannot use this money.

Jane Downing said that that was an appropriate way to go. That's what we understood. This Council checked at that time; this was an appropriate way to go. If it that isn't the appropriate way, it's up to the Administration. Jane Downing in Planning. Louise Brown as of yesterday moved to make a commitment to remove the parks material from that building. And now we're ready to go and we're being told by George Whitmer that it's not in his power to use the money in this manner.

Mr. Ferlo:

Just to clarify, Mr. Chairman. The issue really is not the \$75,000 bond monies from the URA. There are any number of economic development loan funds that are available at the URA including the minority business and/or women business investment fund, including the neighborhood development investment fund, and including about five other funds. The issue really is not the \$75,000 issue; the issue is what is happening with the center and why isn't it happening.

I think we need a report from the Administration and all the people that are responsible

in some way to explain to Council why this isn't open yet.

The Chair:

Mr. Perry, could we please have a letter directed to Planning, URA and the Mayor's Office asking what actions are being taken to assist Westgate Village as was the intent of this Council --

Mr. Ferlo:

And what are the obstacles, Mr. Chairman. If there are some obstacles, we should know about it.

Michelle Madoff:

And what are the alternatives?

The Chair:

What are the obstacles, the alternatives, and how can Council be of further assistance? Thank you.

Mr. Darkins:

Mr. President, I'd like to comment on that a little bit. That's a nice way to do it, but I think as a representative from my own district, the Ninth District, I think I would be a little more forceful about that. I think that Michelle, being that she represents that district down there, she has to have a roll call. I think these people have to be called in and answer to that. It's nice to have reports and words put on paper, but with no action there's still nothing done.

The Chair:

Councilwoman Madoff can call a special meeting in that regard.

Mr. Regan:

I would just like to comment. You know, we have here mothers with dependent children and I think it's an absolute shame in this great country of ours, because of a lack of transportation and so forth, that these people would have to spend \$10 for a quart of milk. I think this needs immediate attention. I was not on Council at that time, but I will do anything in my power to help anybody on Council who would want to do anything immediately to help these poor people.

The Chair:

I think the way to start is immediate correspondence and Councilwoman Madoff can arrange a meeting as a result of that correspondence to get to the bottom of the issue.

Michelle Madoff:

We have two weeks before they're coming in with busloads. I've already spoken to the Administration and I'm hoping that there will be some positive response.

But I would ask that the President of this Council, and the Finance Chairman, that perhaps both of you would meet with the Administration, and I would be happy to join you. I've done everything possible but I just think that we have to be emphatic. And I think that the leadership of this Council -- We elected you, and you should then represent us. I think that's one of the roles that you must undertake.

The Chair:

I don't want anyone to think that a number of Councilmembers have not been involved in this issue. I think everyone that was on Council last year has been involved personally in the issue and several new Councilmembers have

been involved in it. So, there have been numerous discussions with the Administration and with the people of Westgate. And I think it's time for the Administration to tell us what they're doing, and we're initiating that today.

Mr. Ricciardi:

I just want to say that I commend Michelle Madoff for keeping this in the forefront and for raising the issue.

I also recommend, in order to better educate myself, if Michelle Madoff would agree to maybe calling a post agenda hearing and inviting the appropriate people.

Michelle Madoff:

I'll give you the tape. You'll see exactly what happened. Everybody that could speak spoke at that. Put it in your television and you'll see what happened that day. It is a very moving experience.

Mr. Ricciardi:

Thank you and I commend you for raising the issue.

Mr. Ferlo:

On another matter. It concerns Duquesne Light Company, one of my favorite companies.

I was led to believe by one of the stockholders that their annual meeting is going to be in Tampa, Florida instead of here in the City of Pittsburgh where they traditionally have been held.

I'd like to make a motion that we send a letter to Duquesne Light Company requesting that in the future they hold the meetings here in

the City of Pittsburgh, least of which is for the economic benefit of having a major stockholders meeting here in the City, but equally important, all of the ratepayers obviously are here in Pittsburgh and Western Pennsylvania, not to mention the majority of their stockholders. And I think they should set an example for the region. I think they should hold their stockholders annual meeting here in the City of Pittsburgh and not in Tampa, Florida.

I'd like to make a motion that we send a cordial letter requesting that in the future they have such a meeting here in the City.

Mr. Coyne seconded the motion.

Mr. Cohen:

Mr. President, I agree with Councilman Ferlo that if it were my decision I would have the Duquesne Light Stockholders Meeting in Pittsburgh. But it isn't my decision, I don't think it's government's decision, and frankly, I don't think that we are in a position to be telling any company where they should have their shareholders meeting.

The Chair:

If I'm not mistaken, the wording of the letter, as Mr. Ferlo is suggesting, is suggesting that they have the meeting here. We cannot mandate in any way.

Mr. Cohen:

Even suggesting.

The Chair:

Is there any other discussion on the motion?

All those in favor? Opposed?

Mr. Cohen:

Opposed.

WHICH MOTION PREVAILED.

Mr. Coyne:

Mr. Wagner, as you remember, a few weeks ago Council went out to the area of Streets Run and looked at the condition along the banks of the stream in the 31st Ward.

Matt Walsh from the Department of Public Works has been very helpful in getting new signage put up and doing a lot of the minor repairs. However, the most dangerous areas where the walls have fallen into the stream and one area, as you pointed out, looks like a telephone pole may be falling into the stream, still haven't been addressed by the Department of Public Works. We've sent them a letter and I've tried to contact Director Gaetano and he assured me that they're looking at it, but we're still not seeing anything done.

As was suggested when we went out there last time, is if Council maybe can go back out there and this time, Mr. Perry, if you could make sure that the Director is there himself so that we can look at the problem first hand and hear from him right there on the spot as to what he plans to do with the area, I would greatly appreciate it.

The Chair:

We will set up an additional meeting to go out there with the appropriate director.

Mr. Coyne:

Thank you, Mr. Wagner.

Michelle Madoff:

I have waived Rule 8 so that the issue will come up tomorrow because it's a crisis. Those members of Council who have been here a long time will recall that the original Mayor's Commission on Women was not one of my favorite entities because when I asked, "What did you do for your \$75,000 a year?" at that point they said, "Well, we did an essay in the schools." And I said, "Ah, an essay in the schools." So, I was not a very strong proponent.

However, it has come to my attention, and I sent letters to all Members of Council, the letter from JoAnne Ross Wilder.

Mr. Coyne:

Point of Order, Mr. Chairman. Aren't we going to discuss this issue tomorrow at the meeting?

The Chair:

Yes, we are.

Michelle Madoff:

I'm not going to read the letter. Can I just tell you why I'm talking about it?

Mr. Coyne:

This discussion is going to be taking place tomorrow, if I'm not mistaken.

Michelle Madoff:

I will be brief, if you will indulge me.

I want to mention that I sent the letter to all Members of Council. I urge you to please read the letter. I spoke to Councilmembers today and said, "Did you read the letter?" They

had not.

This is a very important issue. When we get into Council tomorrow I don't want to have to start reiterating. It would be very helpful if you would read the information.

The reason I'm mentioning it today is, should you have any questions, and if you wish me to have JoAnne Ross Wilder here tomorrow, I will do so. If you wish to call her yourself, she's very, very difficult to reach because she has a very busy practice. And the reason I'm mentioning it again is that should there be any questions, I don't want this delayed because there are unanswered questions when we hit tomorrow.

I'm asking the Administration, I've already spoken to them, for some help.

In light of the fact that in the year of our Lord, 1990, we have a female Mayor, I would not like to see the former Mayor's Commission on Women go out of business because they have not had sufficient time to go out into the private sector.

What they're doing, their programs with young women having children, staying in school, and all the other things we'll discuss tomorrow, are so vital.

The reason I'm mentioning it today, please, if you have questions, call JoAnne Ross Wilder. Get to me; I'll try to get answers from other people. And if you wish to have her here tomorrow, I will ask her to come providing she be allowed to come to the table and speak, and providing she's not in court. I don't want to have anybody here saying, "Well, one Member of Council says she can't speak." May I have her come tomorrow? Is that the wish? Or somebody from the Women's Commission?

Mr. Coyne:

I will object to someone who is not a Director coming to the table.

Michelle Madoff:

So there you are.

The Chair:

We will address that tomorrow.

Michelle Madoff:

There's no point in my inviting her if somebody is not going to let her come to the table.

The Chair:

It's the will of any individual Councilmember not to permit a person to come to the table, and that can only be determined tomorrow.

Michelle Madoff:

We've already had an objection.

Mr. Ferlo:

On another issue. Back to my other favorite utility, Equitable Gas Company. I think Council is aware that the Equitable Gas Company has once again asked for a significant rate increase of 10.4 percent, \$29.5 million rate hike on top of a 10.7 percent rate hike that they got just last year and was implemented this January.

There are a number of individuals who have filed legal complaints challenging the rate case, including myself, and the first arguments are to be made before the Pennsylvania Public Utilities Commission this Thursday in Harrisburg.

I think it's important to point out the unfair manner in which Equitable Gas Company is dealing not only with its consumers through an outrageous rate hike, but also one of the unions that is currently trying to bargain in good faith, and that's the USWA Local 12050.

I think it's important to point out to Council a letter that was sent to Mayor Masloff, and I'll just read one sentence, this is from Milantoni, the President of Equitable Gas. He's writing to Mayor Masloff, dated February 22. In one sentence he refers to a strike which supposedly commenced at 12:01, back in February. No such strike ever commenced. The union is bargaining in good faith with this company.

He even further states, in his words, that "This strike may result in picketing, mob violence and attempted destruction of property." First of all, I think it's an outrageous statement coming from the President of Equitable Gas Company. It's no way to be bargaining in good faith with union workers at the company, a union which is asking for a minimal cost of living increase, and a company which is basically saying that they will no longer provide health care benefits.

I agree that Council should not go out of its way to involve itself in labor negotiations, and I'm not suggesting that we do that. However, I find it outrageous that a company president would send a letter of this type to the Mayor asking for public support and Public Safety police support. I don't think it's appropriate. I think its outrageous and we should speak against it.

Secondly, I suggest to the President of Equitable Gas that he sit down at the bargaining table and deal in good faith, not only with his workers but with the customers. It's something that they haven't done up until now.

I think it's very important that people get mobilized to oppose this rate hike. There are petitions being circulated. We've asked the Public Utility Commission to conduct a formal public hearing here in the City of Pittsburgh at which I hope people will come out and speak to protest the rate hike which is not justified.

I think its important also to point out, and this is something that Michelle spoke on at least ten years ago, was the number of gas leaks in this company. There are over 4,000 fairly significant gas leaks on the part of this company that are not being dealt with and I think its a matter that the Public Utility Commission should look into. This is a company that buys all of its pipe products from Taiwan and Thailand instead of buying American-made products.

Again, how this company can suggest that they need a rate hike when they're dealing with their workforce in this manner is beyond my comprehension. I think we should speak out against it and I hope that Councilmembers will speak at the public hearing before the Commission when it is schedule here in the City of Pittsburgh.

The Chair:

Thank you.

Mr. Ricciardi:

Mr. President, this Wednesday at 1:00 in City Council Chambers, I have scheduled a post agenda hearing on the re-opening of 30th Street located in the hollow neighborhood of the South Side. I've invited the appropriate department directors of Public Works, Planning, Engineering and Construction, and community-based organizations.

I believe it's important for Council to provide a second passage in and out of the hol-

low neighborhood, not just for convenience but also because of safety. If something would happen to that one-way in, we're talking about our EMS, Fire and Police not able to enter the neighborhood.

So, that post agenda will be this Wednesday. Thank you.

Mr. Ferlo:

Mr. Chairman, two last motions. One is to televise the public hearing on the prevailing rate which is on Tuesday, April 24th.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Secondly, a little more controversial motion. I move to televise and conduct and evening meeting on the public hearing on hunger and access to food.

Mr. Cohen seconded the motion.

The Chair:

I cannot accept the motion because we have not set a hearing yet.

Mr. Ferlo:

I'm making a motion to refer to the President to set the public hearing and also in that motion making the motion that the meeting be held in the evening, Mr. President.

The Chair:

You have two items in one motion.

Mr. Ferlo:

There's nothing in Robert's Rules of Order that suggests that you can't have multiple items in the motion.

The Chair:

I'm not accepting the motion because we have not set the hearing yet and I must talk with Michael Perry to determine what is feasible and what is not feasible.

Mr. Ferlo:

Mr. Chairman, with all due respect, the point of the motion is to have it in the evening. If you're going to set a hearing, you're going to set it most likely based on past Presidents and practices and you're going to set it in the day, the afternoon.

The Chair:

It is the prerogative of the President of Council to determine when hearings are set.

Mr. Ferlo:

I don't dispute that. My motion only suggests a particular time that we encourage the President to set the hearing.

The Chair:

That is not part of a motion process in Council. That jurisdiction lies in the hands of the President, as to whether it's an evening hearing or an afternoon hearing.

You can have a motion to televise that hearing--

Mr. Ferlo:

I move to televise the hearing.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. Chairman, I would like a motion, however, to express the will of Council on the issue of holding at the request of the advocacy groups the public hearing, encouraging my motion therein is to encourage the Council President, Mr. Wagner, to yield and respond to the request of the advocacy group, Just Harvest, to conduct the public hearing in the evening. That's my motion.

Mr. Coyne seconded the motion.

The Chair:

I just want to inform Council that this motion does not mandate an evening public hearing.

Mr. Ferlo:

I didn't imply that, Mr. President.

The Chair:

There's a whole lot of other factors involved in doing that.

Mr. Ferlo:

I know that there are.

The Chair:

And I would suggest that we do not pass the motion or do not even entertain the motion. But since it is on the floor and you want the motion to be voted on, we'll vote on the motion.

Mr. Ferlo:

Roll call vote, Mr. Chairman.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Ferlo
Michelle Madoff

AYES 4

NOES 4

VOTING NO:

Mr. Darkins
Mr. Regan

Mr. Ricciardi
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

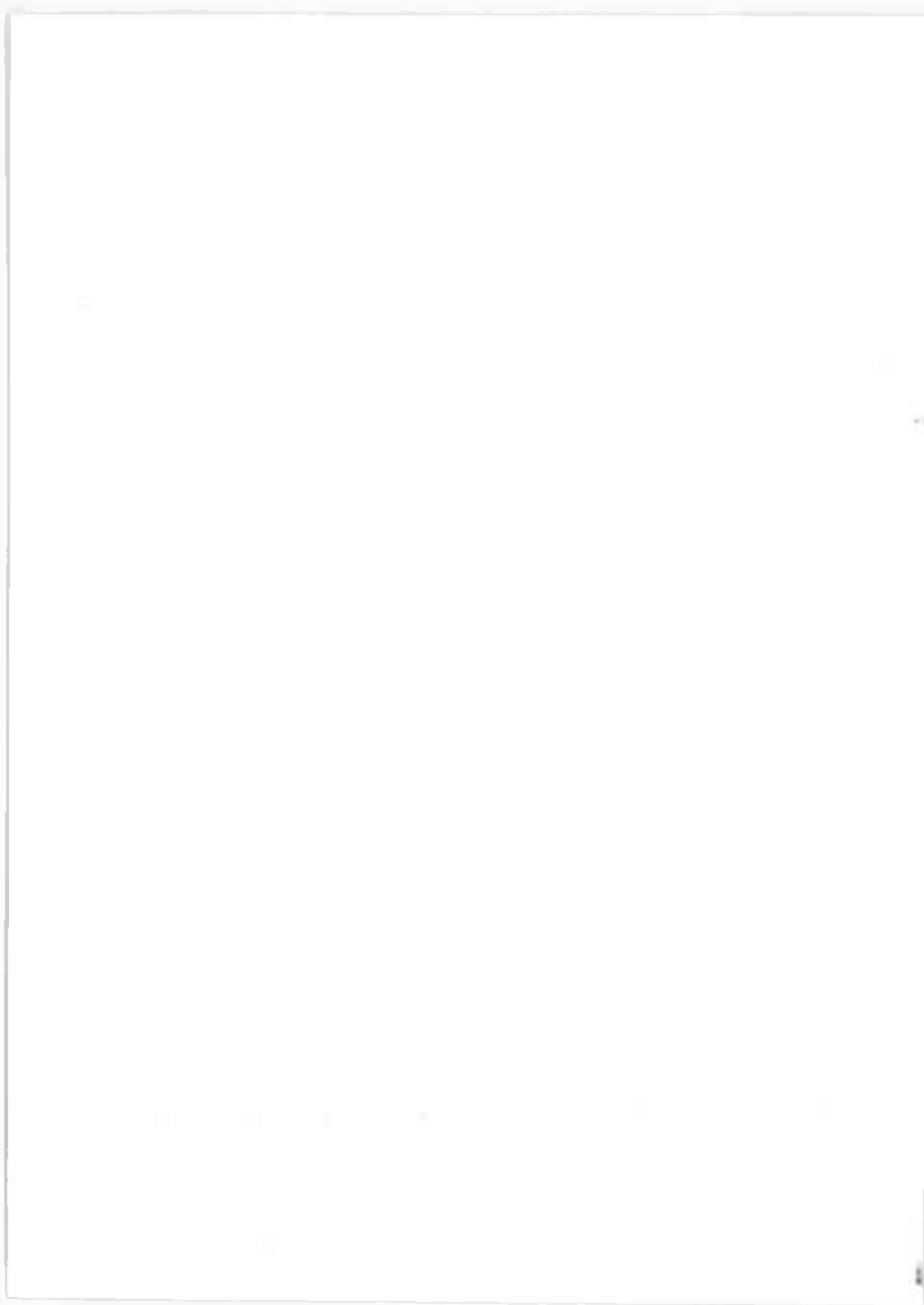
Michelle Madoff moved to approve the Minutes of Tuesday, March 27, 1990 and Tuesday, April 3, 1990.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.



MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, April 24, 1990

No. 17

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, April 24, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne:

Mr. President, with me today is Mr. Earl

Jones from the First Hungarian Reformed Church in Hazelwood.

Mr. Coyne presents

No. 658 WHEREAS, the First Hungarian Reformed Church of Pittsburgh was organized in 1890 becoming the first Hungarian Reformed Congregation in America, as well as in the world, outside of Hungary; and,

WHEREAS, the First Hungarian Reformed Church was built and dedicated in 1892 on Bates Street in Pittsburgh; and,

WHEREAS, at the turn of this century, because of the growth of the congregation, the First Hungarian Reformed Church of Pittsburgh was relocated to its current site at 221 Johnson Avenue where the new church was dedicated on July 3, 1904; and,

WHEREAS, the great financial burden of the new church and school facilities was shouldered by the church officials and the congregation of the First Hungarian Reformed Church who worked with determination so that future generations of Hungarian Protestants could enjoy a sense of churchlife and community; and,

WHEREAS, the ambition and optimism of early congregation members has made possible the celebration of the Centennial Anniversary of the First Hungarian Reformed Church at their Anniversary Banquet on April 28, 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the congregation of the First Hungarian Reformed Church on the celebration of their Centennial Anniversary.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne:

As I said, we have Mr. Earl Jones with us today who is a member of the Church and I would like him to say a few words.

Mr. Jones:

I'm honored to be here today in Council to accept this resolution for the members of the Hungarian Reform Church, the present members and the past members also.

In the future, I run for four campaigns for political office, and this is my fifth. This campaign is for God.

I would like to thank all the elected officials that sent these wonderful letters recognizing our churches and all the churches of different denominations and faith.

We have a time capsule in our church which all these documents are going into for the next century which will be sealed behind our cornerstone. Also, all of this literature will go to Hungary. I think what they've tried to do 100 years ago, you've proved they've succeeded today.

I would like to say God bless all of the people in this country and the countries all

around the world.

I'd like to add with this documentation one little documentation of my own. My son is a Chief Elder of the Hungarian Reform Church. His name is Jones. 100 years later, that's Welsh, and I'm proud to have him a Chief Elder of that Church.

I'd like to add this, to the people of Hungary, congratulations on a job well done. Postage paid by the City of Pittsburgh Mayor Sophie Masloff. Thank you very much.

Mr. Darkins presents

No. 659 WHEREAS, under the leadership of founder Bishop G.E. Vaughn, Pittsburgh will host the forty-first Spring State Worker's Meeting of the Church of God in Christ, First Jurisdiction of Western Pennsylvania, to plan for God's works within the Churches of God in Christ; and,

WHEREAS, on Sunday, April 22nd, church services will be held at Soldiers and Sailors Memorial Hall preaching the message "Received Ye the Holy Ghost"; and,

WHEREAS, the Church of God in Christ Aids to Worship are: We believe the Bible to be the inspired and only infallible word of God; We believe in the Blessed hope; We believe that the only means of being cleansed from sin is through repentance; We believe that redemptive work of Christ on the Cross provides healing for the human body in answer to believing in prayer; We believe that the baptism in the Holy Ghost, according to Acts 2:4 is given to believers who ask for it; and We believe in the sanctifying power of the Holy Spirit, by whose indwelling, the Christian is enabled to live a holy and separated life in this present world.

NOW, THEREFORE, BE IT

RESOLVED, that the Council of the City of Pittsburgh extends a hearty welcome to the forty-first Spring State Workers Meeting of the Church of God in Christ, First Jurisdiction of Western Pennsylvania, on their visit to the great City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 660 WHEREAS, on Saturday, April 21, 1990, the Champions Association, Inc., in conjunction with Duquesne University, will host the 2nd Annual Kenny Durrett Pittsburgh City League All Star Basketball Games at Duquesne University, A.J. Palumbo Center; and,

WHEREAS, proceeds from the games will benefit the Sihugo Green Memorial Campaign for the soon to be Sihugo Green Auxiliary Gymnasium in the Palumbo Center and allow the Champions Association to continue sponsoring quality programs and encouraging youth to attend college and participate in quality activities; and,

WHEREAS, Sihugo Green was an all American basketball star from Duquesne University who went on to become a prominent N.B.A. star; and,

WHEREAS, over 5,000 people are expected to attend this event in addition to receiving radio and cable T.V. exposure; and,

WHEREAS, April 21 is a significant day because the City of Pittsburgh's youth will demonstrate their athletic talents and abilities as well as being part of this historical event.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Champions Association, Inc. for their commitment to youth and for their dedication to create a facility in honor of Sihugo Green, one of Duquesne's greatest basketball players in the school's history.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Would Paul Falkowski from the United Steel Workers of America please join me?

Michelle Madoff presents

No. 661 WHEREAS, every year more than 10,000 American workers are killed on the job; and,

WHEREAS, tens of thousands more are permanently disabled; and,

WHEREAS, millions are injured; and,

WHEREAS, another 100,000 workers die from cancer, lung disease and other diseases related to toxic chemical exposure at work; and,

WHEREAS, concerned Americans are determined to prevent these tragedies by:

- Organizing Workers Memorial Day on April 28, a day chosen by the unions of the AFL-CIO as a day to remember these victims of workplace injuries and disease;

- renewing our efforts to seek stronger safety

and health protections, better standards and enforcement, and fair and just compensation;

- rededicating ourselves to improving safety and health in every American workplace.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims April 28, 1990 as Workers Memorial Day in recognition of workers killed, injured and disabled on the job.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

My first association with Steel Workers was very gratifying in that the leadership of the unions were the first people to support the environmental movement. Their feelings were not that we just need jobs and we don't care if the fathers and the husbands die of cancer. We want both and we want it all and we can have it all and people can have jobs. I thank you for all your years of support.

Mr. Falkowski:

Thank you very much for passing this resolution.

Workers Memorial Day was first established in 1989 to remember the men and women who died on the job and as a result of occupational diseases.

With me today I have Dave Glavin, representing the Labor Council of Greater Pittsburgh affiliated to all of the unions in the Pittsburgh area.

On behalf of organized labor in the Pittsburgh area, and on behalf of the survivors of the people who died in the workplace, this unnecessary loss of human life, we thank the Council of Pittsburgh for declaring April 28 as Workers Memorial Day which will be from now on an annual event. Thank you very, very kindly.

Mr. Glavin:

Dave Glavin is my name and I'm representing the Allegheny County Labor Council and it's a pleasure to be here, of course, and I do want to thank the Council for this resolution. But I'm mostly here to remember those families and people that have sacrificed their lives on the jobs.

Many times we take these things in stride. We have these terrible tragedies that happen to us individually in the family, but collectively, people tend to forget where these things happen. Right on the front line. Right in your job sites. Working under terrible conditions sometimes, even today, where they should not be able, or not have to work under these conditions.

So, we do thank you and everyone, I know that some of you will be there on Saturday to take part in the ceremonies which will be done all over the country at the same time between 1:00 and 3:00. And we'll have a tolling of the bells at 2:00 all over the United States of America. And if you can't be there, please remember in your prayers those people that have given their lives to keep America working. Thank you.

Mr. Regan:

I'd like to have Lieutenant McNamara, President of the Fraternal Order of Police, come up here with the retired policemen we're going

to be honoring tomorrow evening.

Mr. Regan presents

No. 662 WHEREAS, on Wednesday, the 25th of April 1990, the Pittsburgh City Police Department will honor sixty-one (61) individuals who will retire from the City Police Force; and,

WHEREAS, these men and women have served bravely throughout their careers by maintaining the safety of our City, by recognizing that the life and liberty of its citizens is the primary area of responsibility; and,

WHEREAS, although the crime rate and service call rate has been steadily increasing, their work load was challenging and each and every officer performed ably and well, protecting our property and the security of our lives; and,

WHEREAS, the City of Pittsburgh is a City that draws many visitors into our City each year, for our many social and cultural events, and our City Police Officers are called upon to maintain the peace and dignity at these events, so we also recognize these fine men and women as Goodwill Ambassadors.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the citizens of Pittsburgh in recognizing and saluting each and every one of the sixty-one men and women honored here today for their distinguished and sincere dedication.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

We can never thank the police officers of this great City of ours and we were named a few years ago as the Number One City in the United States. We were named the Number One City in the United States because of the performance of our police officers and all the other City employees and people that live in this great City of ours.

Lieutenant McNamara:

Mr. President, Councilpersons and Councilman Regan, I thank you for the opportunity today to honor the 61 police officers that we'll be honoring tomorrow night at the Syria Mosque in Oakland for their many years of service.

In receiving this resolution this morning, I have asked that four officers come with us who will be honored also. I want to give you a little background. Three of the officers, Officer J.R. Williams, was forced off along with Sergeant Harold Freeman and Lieutenant Tom Joyce because they're 65 years of age. The three of them have better than 34 years of service in this police department they've given to the citizens of our great City.

In addition to that, Sergeant Harold Freeman, I can remember back in the '70s, he too a bullet in the stomach in the line of duty and is with us today and survived that close call. It's certainly great to know he's one of the retirees we'll be honoring tomorrow night.

With us is Officer Williams, Sergeant Freeman, Lieutenant Tom Joyce and Police Officer Bob Lang, and present retiree, Connie Knox. I'll have them each say a few words, if they wish. They're a little shy, they didn't want to leave, but they're here today and I think they deserve a nice hand for representing the other 61

officers.

Officer Williams:

It was a pleasure serving the City of Pittsburgh. Thank you.

Sergeant Freeman:

Thank you. This was a surprise; I didn't hear about it until 7:00 this morning. Thank you.

Lieutenant Joyce:

I would like to thank all the Members for this welcome and I'd like to say also that the years on the Police Department was very enlightening and I enjoyed every one of them.

Officer Lang:

On behalf of the other retirees, I put in over 35 years and I thought I might as well get off while the timing is good. Thank you.

Lieutenant McNamara:

Certainly I'm not going to have him say a few words, Brother Connie Knox. He's been retired and he's teaching them how to handle it now, so we're in good shape.

Thank you very much for your appreciation.

Mr. Regan:

The only thing they won't own up to is how many babies they delivered in their days as police officers.

The Chair:

Thank you all.

Mr. Regan:

I have another honor here today to honor the Slovak people. Mike Lako, would you come up here with all your people, please? Mike is the President of District 1 for the Slovak Fraternal Union.

Come on, Mrs. Lako. You know, a beautiful lady like this that's in the family way, there is no way that I'm not going to get her up here. Let's give her a nice hand.

Mr. Regan presents

No. 663 WHEREAS, throughout history, the Slovak people have stood strong for social justice and charity. It was necessary in their development that they have group consciousness, group pride, group activities, and communities. This further enhanced and represented their consciousness as Slovak-Americans. The First Slovak Union then came into being; and

WHEREAS, the purpose of this Fraternal Union was to offer support to the sick and disabled; to help orphans and widows; to raise the orphans to become good members of their society; to remain faithful to the church and strengthen in their holy faith and to become citizens of the United States; to promote the Slovak language and culture; and to preserve it for the coming generations; and,

WHEREAS, the first Catholic Slovak Union was officially founded by Reverend Stephen Furdek on September 4, 1890. The motto of the society is "For God and Country" "Za Boha, a naru"; and,

WHEREAS, the membership of this organization has at all times been devoted to and inspired by the principles and statement of the

unalienable fundamental rights and freedoms of man set forth in the Declaration of Independence and confirmed in The United States Constitution; and,

WHEREAS, in Allegheny County there are approximately twenty-five Slovak Parishes and 3/4 million Slovak people; and,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is hereby helping celebrate the 100 years since the birth of their society. But, we are not only celebrating the birth of the society, but also the wisdom, the determination, courage and foresight of their Slovak leaders to whom so much is owed. When Father Furdek came to America, he saw the needs of his people. He gave of himself to the Slovak people who responded by giving themselves to him. This is what the celebration is all about.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims this day, Tuesday, April 24, 1990 as Slovak Day in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Lako:

We are the other half of Czechoslovakia.

With the recent changes that are taking place and the ethnic feelings of the people in Slovakia, it is very fitting that we of Slovak origin in the United States here, have our 100th anniversary and in some way help our Slovak people.

The First Catholic Slovak Union is not only an organization to help people in America, throughout the years the First Catholic Slovak Union has been helping the people, their relatives, ancestors, in Europe. It's to these people who came to America in 1880, 1890, it's to these people that we owe what we are and who we are. And it's to these people that we offer our thanks. It's to these people that we offer our congratulations.

We would also like to thank Councilman Regan. We would also like to thank Councilman Wagner and we'd like to thank all of you.

Mr. Ricciardi presents

No. 664 WHEREAS, Chester Jakoski, a former South Side businessman, has broadcast his ideals of ethnic culture and heritage to both young and old; and,

WHEREAS, Chester Jakoski has earned the title of "Dean of Polish Broadcasters" as well as maintaining active involvement in organizations such as the Lions Club, the American Association of Retired Persons, and various polish organizations; and,

WHEREAS, Chester Jakoski has had a distinctive career in business sales, printing, music and broadcasting as well as forming his own band "The Polish Aristocrats", and providing entertainment to many Americans of polish descent.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Chester Jakoski for his long time dedication to the ideals of his ethnic culture and heritage.

Mr. Ricciardi moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

It's an honor and a privilege today to present this resolution to Chester Jakoski. Because of him, our heritage, many heritages, especially the Polish heritage in the South Side, was able to be passed on to many, especially the young.

Mr. Jakoski, you're no stranger to a microphone, so show me how to do a good job up here.

Mr. Jakoski:

Council President, Members of Council, thank you very much for this resolution.

As a former resident of the South Side and also a businessman, I had pretty close contact with the various ethnic groups of our area. Naturally, being Polish, I was closer to the Polish parishes because we have two of them over there. But we have other nationality parishes.

Right after the war, World War II, 1949 or so, I was approached by several organizations to provide aid for the needy of Eastern European countries, Poland, Czechoslovakia, Hungary, the Ukraine, and yes, even Russia. I opened up an agency where we had money sent to them over there and even commodities such as cows, horses, plows, tractors, food, farm equipment and what not. Particularly the medicines; Streptomycin and Penicillin were very much in need and we had all that going through our agency.

When I moved to Carson Street, right next to Isaly's at 1717 Carson Street, I had a deluxe card and record store. We devoted the entire mezzanine to nationality cards. Downstairs we had LPs and 78 records, and then later 45s, of all the different nationalities in our par-

ticular area. The slogan was, "If you can't get it at Chester's, don't look anywhere else."

The mezzanine had 21 different nationality cards for all occasions. We had from the Polish, Slovak, Russian, Ukrainian, German. You name it, we had it. Even titles to their families like to aunt and uncle, to parents. Particularly at Christmastime we had all kinds of cards, even for the priests and nuns, for relatives overseas.

So, you see, my tie-in with the South Side went a long way, not only among the ethnic groups but I was on the committee where we were the first in that particular area to have Christmas lights along Carson Street. We were the first. I was on that Committee soliciting for the Christmas Parade.

So, I did a lot for the community over there, not only for the Polish people but for all the ethnics in our particular area on the South Side.

I want to thank Councilman Gene Ricciardi for presenting this resolution to me today and it will be in my memoirs of the work that I have done not only for the South Side but for the City of Pittsburgh and also Allegheny County. Thank you very much.

Mr. Ricciardi:

If I may say, Mr. President, we've just witnessed a great man and alongside all great men is a fantastic woman. His wife is Philomena and she's with us today also.

The Chair:

Thank you all.

Mr. Ricciardi:

I'd like to ask Mr. Robert Croneberger, the Director at the Carnegie Library, if he would please step forward along with Charmaine Spaniel who is the Branch Manager in the South Side, Mary Jane Schmalstieg, the President of the South Side Friends of the Library, and also the members of the Friends of the South Side Library.

Mr. Ricciardi presents

No. 665 WHEREAS, the South Side Branch of The Carnegie Library of Pittsburgh continues its work as a vital information and resource center to the community it serves, meeting the many needs of its unique neighborhood; and,

WHEREAS, the South Side Branch Library provides storytimes for toddlers and preschoolers, and reading clubs, craft classes, movies, puppet shows and other programs for children and families; and,

WHEREAS, the South Side Branch Library provides book collections and story programs to day care centers, head start groups and schools in the South Side area and surrounding communities; and,

WHEREAS, the South Side Branch Library participates in Beginning with Books and other literacy projects to tutor students of all ages; and,

WHEREAS, the South Side Branch Library has provided outreach programming to the senior citizens' residences, computer literacy training courses for adults and children, community programs for holidays and Polish history to celebrate Polish Heritage Month, workshops by Neighborhood Legal Services and the Mediation Center of Pittsburgh, and poetry readings by local published poets; and,

WHEREAS, in November of 1989, the Friends of the South Side Branch Library received the community service award from the South Side Chamber of Commerce.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the efforts of the South Side Branch Library and urges Pittsburghers to recognize the invaluable contribution of The Carnegie Library of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to ask Mr. Robert Croneberger, the Director of The Carnegie Library of the City of Pittsburgh if he would say a few words today, please.

Mr. Croneberger:

Thank you, Councilman Ricciardi, Council President, Members of Council.

On behalf of the Carnegie Library of Pittsburgh, I'm delighted to receive this resolution. This is National Library Week, as most of you know, and we're looking forward to the celebration tomorrow called, "Night of 1,000 Stars".

I particularly want to thank all the Members of Council for their support for reading and families and literacy and libraries. We're looking forward to seeing you all tomorrow afternoon and tomorrow evening, along with the Mayor.

This is a resolution specifically for the

South Side Branch Library and Charmaine Spaniel, the Branch Librarian, and Mary Jane Schmalstieg and the Friends Group are no strangers to receiving resolutions and awards.

Mr. Ricciardi:

Before Charmaine says something, I'd like to say not only is she the Manager of the South Side Branch, but she's become a dear friend of the South Side residents. We feel very close to her and we'd like to thank her for everything she's done in our community.

Ms. Spaniel:

Thank you, Gene. President and Members of Council, it is my pleasure to accept this resolution on behalf of the South Side Branch Library.

I'm so proud to be part of the South Side community and the excellent work that we do there. Thank you very much.

Also, tonight at the South Side Library, we're having our own little celebration of National Library Week. Gene Ricciardi will be there tonight reading aloud to children and families because that's what we're all about, celebrating books and the family. Thank you.

Mr. Ricciardi:

If you've never heard "Pop Goes The Dragon", that's one of the books I'll be reading today.

Mr. Ferlo:

We're reading "Green Eggs and Ham".

Mr. Cohen:

May I just say one word about Director

Croneberger. I had the privilege of witnessing Director Croneberger allay the fears of the Squirrel community about the Squirrel Hill branch of the Carnegie Library, and if he can handle Carnegie Library the way he handled that meeting, then I think we're all in good shape.

Mr. Ricciardi:

Our next speaker is Mary Jane Schmalstieg who is the President of the Friends of the South Side Library. As everyone knows, we've been very successful on the South Side because of one reason, and those are the members that are standing before you today. They're solid members of the Library and many of them are very dear friends. We thank them and Mary Jane, if you could speak to the group, please.

Ms. Schmalstieg:

Friends of the South Side Library is a group of women and men, only they're not here today, of 20 people. We're in our tenth year of working to promote the library.

We receive no grants. All of it is done with our own fundraising ideas. But that's not saying that we won't take any grants, so I wish Council would keep that in mind.

On behalf of the Friends of the South Side Library, I want to thank Gene for recognizing us.

I would like to ask City Council to join our Friends groups and Pittsburghers to support one of the most important institutions in our neighborhood, The Carnegie Library. Thank you.

Mr. Cohen presents

No. 666 WHEREAS, FreeWheelers is a program designed to bring wheelchair-using

elderly and disabled adult residents of nursing and personal care homes on "Day on the Town" outings; and,

WHEREAS, FreeWheelers commenced its first outing in May 1989 at the Kane Regional Centers and, since that time, has expanded its service to the Lemington Home for the Aged and the Riverview Center for Jewish Seniors; and,

WHEREAS, FreeWheelers go to the ballet, bowling, museums, baseball and football games, the Three Rivers Arts Festival, Kennywood Park, and much more; and,

WHEREAS, in 1989 over 160 volunteers donated 1,752 hours to FreeWheeler outings, including volunteers from the American Association of Retired Persons, Dravo Seniors, Duquesne University, Ladies of Charity, Lucy Stone Civic League, Mellon Volunteer Professionals, North Side Lions Club, Oasis, Riverview Auxiliary, Rodef Shalom Brotherhood, and South Hills Interfaith Ministry.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims April 26, 1990 to be FreeWheelers Volunteer Day in the City of Pittsburgh and commends the FreeWheeler volunteers for helping to put joy into the lives of our disabled adults.

Mr. Cohen moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Cohen:

Members of Council, I am happy to give this honor to Joyce Galpren, the Director of FreeWheelers, and to Ann Shuman, the Chair-

man of Chair of the Volunteer Committee.

I think that it's fantastic that people take the time and initiative out of their busy lives to help the needy. Ann Shuman has a few words.

Ms. Shuman:

Thank you, Councilman, and thank you, Councilmembers and Council President for this recognition.

As he mentioned, we are about to celebrate our first birthday. We feel very good about the work we've done and we know there are a lot we haven't reached yet. We look towards you and citizens of Pittsburgh for support.

We all know that the population of Allegheny County is increasingly elderly and, even though many of these residents in the homes for the aged have relatives in the community who are very faithful about visiting them and perhaps wheeling them out into the sunshine for the picnic or something, it is because of our specially equipped bus, which I hope you'll watch for in the streets of Pittsburgh, a big, white and orange bus, equipped for 12 wheelchairs. Because of this, we're able to take them to places that perhaps they've never been, or haven't been for many years.

So, watch for us. You'll recognize the bus and you'll see the smiling faces. Thank you.

Mr. Ricciardi and Mr. Coyne present

No. 667 WHEREAS, St. John the Evangelist Baptist Church was founded in Hazelwood at 4537 Chatsworth Avenue in 1909 with approximately 10 chartered members; and,

WHEREAS, St. John the Evangelist Baptist Church has grown in size so that it now has approximately 300 members; and,

WHEREAS, St. John the Evangelist Baptist Church has provided service and spiritual guidance not only to the congregation but also to the Hazelwood community; and,

WHEREAS, St. John the Evangelist Baptist Church has recently constructed an addition to their facility to improve access to senior citizens and the handicapped and for other purposes; and,

WHEREAS, on April 22, 1990, the Reverend Alvin Coon, Pastor of Saint John the Evangelist Church, will welcome the Reverend T.I. Pollard, Pastor, Corner Stone Baptist Church, his choirs and congregation for their Dedication Service dedicating the new addition to their church.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Reverend Alvin Coon, Pastor, and the entire congregation of St. John the Evangelist Baptist Church on the joyous celebration of the dedication of the new addition to their church.

Mr. Coyne moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 637 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding Chapter 196, Code of Public Conduct - Providing public officials and public employees with a code of conduct to ensure adherence to the highest standards of honesty, integrity and impartiality in City government. --- (SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Finance.

Mr. Cohen:

In accordance with Section 208 of the Home Rule Charter, Organizational Structure, I move that this bill be referred to the Mayor for her recommendation to Council within a 30 day period.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Coyne presented

No. 638 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article V - Discrimination, Chapter 651 - Findings and Policy and Chapter 657 - City Contracts, by removing prohibitions on investing in Namibia or conducting business with entities that invest in or engage in business with Namibia.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 639 Resolution vacating Sullivan Street between Luzerine Street and Unnamed Way in the 10th Ward, Council District 7 of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 640 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 17, by changing: From "R3" Multiple-

Family Residence District to "R1-A" One-Family Residence District all that certain property identified as Parcel "A" in the Chatham College Plan No. 4, recorded January 17, 1990, in Plan Book Volume No. 162, Pages 95 & 96, 14th Ward.

Also,

No. 641 Resolution approving an Agreement by and between the URA of Pgh. and Friendship Development Associates in which the URA of Pgh. will provide financial assistance in the amount of \$30,000 to Friendship Development Associates for site work for residential units to be constructed in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 642 Resolution providing for an Agreement or Agreements with the Community College of Allegheny County for professional services in connection with the City's Summer Employment Project for Special Adult City Residents. Total cost not to exceed \$4,500.00.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 643 An Ordinance amending the Pittsburgh Code, Title Two - Fiscal, Article I - Administration, Chapter 213 - Investment and Divestment, and Article III - Depositories, Chapter 221 - Contracts, by removing prohibitions on investing in Namibia or conducting business with entities that invest in or engage in business with Namibia.

Also,

No. 644 Resolution providing for the issuance of a \$1,670.00 warrant in favor of Wilbert Monroe in settlement of claim for property damage to aluminum siding and an aluminum awning on September 1, 1989 by a City of Pittsburgh refuse truck, payable from Code Account No. 46, Judgments.

Also,

No. 645 Resolution amending Res. No. 308, approved March 26, 1990, eff. March 30, 1990, entitled "Providing for the acquisition from Rose Marie Balestrieri certain property located in the 8th Ward, City of Pittsburgh. The amendment is to change 411 Dargar Street to read 411 Dargan Street.

Also,

No. 646 Resolution providing for an Agreement with the Commonwealth of Pennsylvania, Dept. of Transportation, their heirs, executors, administrators and assigns, which grants an easement to construct a protective barrier on and through property owned by the City of Pittsburgh in the 26th Ward, along right-of-way of White Oak Way on property known as Block 116 L, Lot 270. Said barrier to be erected as Safety Barrier in connection with Interstate 279. (COUNCIL DISTRICT #1)

Also,

No. 647 Resolution amending Res. No. 853 of 1989 entitled: "Providing for an Agreement or Agreements with a Consultant or Consultants for the affixing of Inventory Tags and the Inventory of Capital Equipment owned by the City of Pittsburgh, and to enter this inventory information into the City of Pittsburgh's Computerized Asset System at a cost not to exceed \$85,000.00," by increasing the total allocation by \$35,000.00 from \$85,000.00 to \$120,000.00, chargeable to and payable from Code Account Index Code 1063-106302, Misc. Services. Dept. of Finance.

Also,

No. 648 Resolution providing for an Agreement or Agreements with Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization, to provide bi-weekly dinners and other services for City residents, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 649 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 650 Resolution providing for an Agreement or Agreements with Instructors for the Training Academy at a cost not to exceed \$15,000.00, chargeable to and payable from

Code Account (PSTA), Bureau of Administration, Dept. of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 651 Resolution amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, Property Taxes, "Real Property Tax", Section 263.02, "Payment Options; Discount and Delinquency Penalty", by changing the discount period to include February.

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 652 Communication from Michael Perry, City Clerk, submitting the first quarter travel reports from the various City departments for the date ending March 31, 1990.

Also,

No. 653 Communication from Tom Flaherty, City Controller, submitting a performance audit of Animal Control division of the City of Pittsburgh.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 654

Report of the Committee on Finance for April 18, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 566

A Resolution entitled, "Resolution providing for the issuance of a \$1208.72 warrant in favor of Ausbury Elliott in settlement of claim for automobile damage." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 595

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Copy World in the amount of One Thousand Five Hundred and Ninety-Five Dollars (\$1,595) in payment for a fax machine for the Mayor's Office furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Mr. Milliones
Mr. Regan
Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 596

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Pennsylvania Conservation Corps Act; providing for the execution of grant contracts and for the filing of requisitions and other data; for the City of Pittsburgh to enter into agreements authorized by the Pennsylvania Conservation Corps Act and providing for execution of payment vouchers and for certification of authorized signatures; and providing for the deposit of funds into a bank account."

Which was read.

Also,

Bill No. 597

A Resolution entitled, "Resolution providing for an agreement or agreements with Vietnam Veterans Leadership Program of Western Pennsylvania, a non-profit organization, to provide job referral services for City residents."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 598

A Resolution entitled, "Resolution granting a License to Duquesne Light Company for the installation of one (1) pole and anchor and underground electrical system on City property, at Brilliant Yard, 12th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Mr. Millions

Mr. Wagner
(Pres't)

AYES 7

NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill was approved.

Also,

Bill No. 599

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of AT&T, 170 S. Warner Road, 2nd Floor, Wayne, PA 19087, in the amount of \$152,450.89 in payment for the purchase and installation of hardware for Computer Aided Dispatch in the Communications section for the benefit of the City, and providing for the payment thereof."

Which was read.

Also,

Bill No. 600

A Resolution entitled, "Resolution authorizing the transfer of one hundred thousand dollars (\$100,000.00) from Code Account (1043), Index Code (104307), Miscellaneous Services, Mayor's Office, Bureau of City Information Systems to Code Account (1405), Index Code (140509), Equipment, Bureau of Administration, Department of Public Safety."

Which was read.

Mr. Ricciardi:

On Bills 599 and 600, I will be abstaining because of stock ownership.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 604

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of April, 1990."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 623

A Resolution entitled, "Resolution amending Resolution No. 36, effective February 15, 1990, entitled, 'Resolution providing for an Agreement or Agreements to provide funding for the Greater Pittsburgh Commission for Women at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1017, Miscellaneous Services, Mayor's Office,' by increasing the amount by \$50,000.00 from \$25,000.00 to \$75,000.00, chargeable to and payable from Code Account No. 1017, Miscellaneous Services, Office of the Mayor."

---(SPONSORED BY MICHELLE MAD-OFF)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ferlo
Mr. Darkins	Michelle Madoff

AYES 4	NOES 5
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VOTING NO:

Mr. Coyne	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. Regan	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with a **NEGATIVE** recommendation,

Bill No. 624

A Resolution entitled, "Resolution transferring the sum of \$50,000.00 from Code Account No. 46, (004606) Judgments and Interest on Judgments to Code Account 1017, (101709) Miscellaneous Services, Office of the Mayor."
—(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. President and Members of Council, I think everybody here, my colleagues, are people of good will and I believe that they really believe that their votes are voting their conscience and they have reasons, my colleagues that have voted against this resolution, believe that their reasons essentially are that there are other

groups that are worthy and therefore, since there are other groups that are worthy and in their estimation perhaps more worthy, that therefore they should not support what I believe was an error, and correct an error in the budget.

I subsequently took the liberty of asking the Budget Office to prepare for my colleagues several pages, a precedent, that shows that we have repeatedly opened the budget to make grants and award monies to needy groups.

And while I concur that there are many, many very worthy needy groups, we can't, any of us who have either been a member of this Council or read the paper or just kept abreast of what is going on in the world, know that there have been hundreds of thousands of dollars, millions and millions of dollars that have been spent in this City on frivolous items that are not certainly as worthy as the Women's Commission and on bizarre things where money should not have been spent.

Let me give you one that happened yesterday. I was walking down the street, coming out of the Grant Building, and saw the men working out there on Grant Street and said, "When will this be done? When will Grant Street be done?" They said, "July." I said, "What's the problem?" They said, "Oh, we ran into another problem. Something wrong with the curb." I said, "Didn't you check before? Wasn't there a check? Wasn't there some drilling done to find out whether we were going to have a problem?" He just looked at me blankly because he knew what I was talking about.

The long and short of it, I said, "We've had a million dollar overrun on Phase II, a million dollar overrun on Phase IV. How much is this overrun going to be?" They said, "Probably a million dollars."

We're talking about a three million over-run on Grant Street. One million on the Bloomfield Bridge. We could go on and on forever.

Look at the list that we have here: artificial turf for Dean Field. After much debate and much soul searching and twisting of arms and rejection of this bill for years, we finally decided this was a worthy effort and we voted for this turf. Can you tell me that 50 percent of the population, one of the umbrella groups of this community that represents women, is certainly not as important as having the artificial turf for Dean Field?

I cannot believe that we're going to take the position as a Council and say, "Well, there are other groups that are needy too." You have to determine needy and needy. I'm sure all of us could come up with 100 groups that should be funded for more dollars, but sometimes and umbrella group, in the long term, by letting them survive, can do more for all the groups that we want to fund and can't fund, particularly in the issue of women's problems.

I believe it was Mr. Darkins who asked the group to justify some of the concerns that he had and I think he was absolutely right in doing so. And the Women's Commission supplied all of Council with a litany of what is happening with the money, the dollars. And as you know, one of the things that changed my mind about the Women's Commission was the fact that, for example, they are working with unmarried children who are getting pregnant and encouraging them to stay in school and that there are other alternatives for them. If for no other reason, we ought to be supporting this group.

On the issue of the other needy groups, I think we need to look at cleaning up our act in the City and I think the legislation to stop the giveaways that is pending before Council will provide us with some other monies that hope-

fully we can direct to the groups that come to us and ask for additional funding when it is imperative that we do that.

But, you know, it's the old story about if you give a man a fish, he eats for one day. If you give him a fishing line, he learns how to fish and eats forever.

I think by funding the Women's Commission, The Greater Pittsburgh Commission For Women, what we're doing is providing help to groups for a very long time, not just a one shot deal.

Just to wind this up, I want to give just a little bit of history. The Greater Pittsburgh Commission For Women are not asking for a handout, they're asking for a hand. They're asking just to get through the rest of this year so that they can go to the private sector and raise dollars. Anybody that can be involved in any group knows that you don't get your money by just going out and asking for it. You make your proposals, you submit your proposals, you have to wait until they have their board meeting, sometimes in November, and the money is not forthcoming for some time.

I don't think we should cut off the legs of the Women's Commission by saying, "We made a mistake. You asked for seventy-five, we cut you back to twenty-five and we're not going to make you whole to get you through to the point where you can begin to stand on your own two feet."

I plead with you. This is 50 percent of the population, women. And while we give monies to very worthy women's issue oriented organizations, I think an umbrella group of this nature is imminently important and I urge you very strongly to rethink your vote and to please vote for this legislation.

Mr. Ferlo:

Mr. Chairman, I voted in December as part of the budget proceedings to allocate I believe \$25,000 to this group and it had nothing to do with some of the issues Michelle talked about. It rather had to do with the issue of performance and what I thought the mission of this important Commission should be.

I've been critical of the Commission for the last couple of years upon coming to elective office because I felt that this Commission, so named Commission on Women, should be far more vocal and far more strident as an advocacy group for women on women's issues.

My vote in December had nothing to do with the availability of funds or what exactly the budgetary constraints were for the group and/or City government. It rather had to do with how important I felt this group was meeting the kind of advocacy agenda that needs to be done in this City.

I'm willing to reconsider my vote, and I'm going to do that today, but it's going to be with the understanding that this group is going to be far more vocal and that when I attend a conference, it can't be a conference of all white, upper-income women discussing child care. It has to be a group that's going to be far more vocal and strident and advocacy oriented on a whole broad range of issue.

And I hope that none of the issues are direct service. I don't see this group providing direct services, involved in social service activity. I think the Commission on Family, as well as a host of other direct service providers, are more capable of doing that. I think this group's work is very much needed in the City, but it has to be a challenge where it has to challenge major institutions in this City, including City government, including the State Legislature, on a whole

range of issues which time does not permit me to talk about today, least of which are some of the child care agendas, the pay equity issue, equal pay for equal work. And that means not being a group of very nice people; that means being a group of individuals who have an advocacy agenda who can take on in whatever fashion is appropriate in terms of use of tactics and strategy, to take on major institutions, challenge major institutions, including City government, to do what it should be doing.

If the group is going to do that, I'm going to reconsider my vote. And hopefully this discussion will come up again at the end of the year and we can evaluate the group's performance.

Mr. Darkins:

Mr. President, I was not here last December when we were voting on this particular issue and money to be allocated for the Greater Pittsburgh Commission For Women. I had raised a point last week in Council because I was concerned about the minorities that participated with the minority group. And after seeing some of our great women in the City of Pittsburgh such as Judge Cynthia Baldwin, Gwen Elliott, Lynn Hays-Freeland, Tammy Neil Taylor and Dorse Carson Williams. I'm convinced that we have the proper setting there to be of great help to all women that are concerned.

I also take into consideration what Councilman Ferlo has said, that sometimes it does take some time for things to get off the ground. And in getting it off the ground, there's a lot of organization structure that has to be depended upon.

I feel that this is a great commission and I feel that the women of the City of Pittsburgh shouldn't be slighted because they are a great forerunner in our community affairs and City government.

With this in mind, I'm ready to vote today.

Mr. Coyne:

Mr. President, last Wednesday at the preliminary vote I voted against this and I will be voting against it today.

It's not that I'm questioning the work this organization does. In fact, in the two budget hearings that I have had a role in in my term on Council so far, I voted in support of this organization and I'm sure next year at budget time I would vote in support of the organization again.

My main problem lies with the precedent that would be set. This is a group that came in at budget time and was given X amount of dollars, and now is coming back to try to seek the original amount they requested.

Regardless of what we're saying that they will have to go out and solicit private funds or they didn't know this was coming, the information I'm receiving is that the original agreement with this group was that in '87, '88 and '89 they would receive \$75,000 a year and they knew full well that in 1990 it would be reduced to \$25,000. That's the information I received.

That's only a smaller point, I believe, because of all the groups who did come in and receive money, they still did pretty well. We have groups, the Clean Water Action, and with the problems we've had with our water supply in the river, we know how important that is. They've requested \$15,000 and received nothing.

People's Oakland which deals with mental ill people who could be roaming the streets, living in the streets, to try to help these people get their lives back in order, they requested \$10,000 and received nothing.

The Vietnam Leadership Program requested \$20,000 and got \$8,000.

The Neighborhood Legal Services which provide desperately needed services for people who can't afford it themselves, requested \$17,000 and they received \$10,000.

The Women's Center and Shelter requested \$50,000 and they received \$30,000.

The Tri-State Conference On Steel which is doing an excellent job in trying to get our local economy back on its feet with the electric furnaces in South Side, requested \$30,000 and received \$15,000.

And if you add up all these numbers and you look at the groups, you'll see that all these groups are needed services in the community. They all are having financially serious problems, and they do not receive what they requested. And if we attempt to fund all the groups, and this is what I'm afraid of, the precedent that we may be setting if we let this group come in and receive the original amount they requested, we're looking at possibly \$470,000, additional, if every one of these other groups came in who didn't receive their funds which we would have to be giving out.

I think it's very foolish in the middle of the year to be playing with these kinds of numbers.

As was mentioned, the City is facing extra expenditures with the Police settlement. And everyone got a good press and talked about the wage tax cut and everything at budget time, and to provide this money we're talking about a possible increase in the wage tax for next year.

I don't think it's a very smart policy for the City to take. I think it's establishing a bad

precedent and I would urge my colleagues to vote against it.

Mr. Cohen:

Mr. President, as I mentioned on Wednesday, I think this is a tough issue and Councilman Coyne raises a very good point.

I think, though, that this case is distinguishable for two reasons. The first is that this organization contains the stamp of the City, that it was created three years ago by Mayor Caliguiri and for that reason has the stamp of the City on it. It was created to look into issues affecting women, like pay equity that we discussed earlier. Women make 67 cents to every man in the workforce, and that's an important issue. Child care, with more and more women entering the workforce, that has become an increasingly important issue. And assisting women in establishing their own businesses. So, it really contains the stamp of the City on it for these worthy causes.

The other is that I'm afraid that if we don't provide money for this group, that it may have to shut its doors. And that's what really distinguishes this, I think, from many of the other groups that come before Council.

It is true that this group should have done a better job in raising money in the private sector, and I hope that they will try harder as they continue. But that doesn't mean that we should allow this group to die and that's why I'll be voting to support this bill.

Michelle Madoff:

I appreciate the comments made by my colleagues. One of the issues that was raised is that we ought to be dealing in the studies on pay equity. I believe that the Women's Commission did indeed meet with Mr. Ferlo and with myself

and I'm sure talked to other members of Council. And that study alone, if it were done like all our other consulting jobs, we're talking about a \$75,000 funding.

We need to keep them in business so that the kind of efforts and interests that pertain to the well being of this community, which I repeat, better than 50 percent are women, must be addressed.

I would like to just, on a note of levity, point out that we spent so much money on consulting projects that never go anywhere. For the benefit of my colleague, Mr. Ricciardi, I recall a study that was done, I don't know if the new members would know about it, on the issue of police protection in the City, the need for police. A map was laid out and the consultant said, what we need is a police officer who can cover Carson Street and Grandview at the same time. He looked at a map and he forgot that there's a little minor item of a mountain there. You'd need a Buck Rogers belt. Well, they paid for that study.

We paid \$300,000 for artificial turf for Dean Field. I think that's necessary. It took us a long time to see the light on that and do it.

The bottom line of all this, if we spend our energies and time reviewing the areas in which we can conserve dollars in the operation of the City and advising and consulting with the Administration, there would be enough money for all these other groups.

But, as my colleague, Mr. Cohen, said, this is an issue where they haven't had enough time to go out to the private sector as yet and raise the money, as well they should. You can't put an umbrella group such as this out of business on the basis of there being other needy groups. If we want to help other needy groups, we have to come up with some creative, innovative ideas. One of the ideas was to give C-TAC

\$40,000 to help the groups and C-TAC wouldn't take it. You know what I'm talking about, Jack. Every year I try to stop the funding for that group.

There are so many things that we do that are foolish. This is not a foolish issue. This is something we should have funded initially. Again, I say it was an error and I think we should be courageous enough to correct our own error, give them the money, let them get through the year, and then worry about next year.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ferlo
Mr. Darkins	Michelle Madoff

AYES 4	NOES 5
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VOTING NO:

Mr. Coyne	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. Regan	(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Ferlo presented

Bill No. 655

Report of the Committee on Planning, Housing and Development for April 18, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 587

A Resolution entitled, "Resolution providing for an Agreement or Agreements, Contract or Contracts, or to make use of existing Contracts to undertake the Oakland Traffic Improvement Studies."

Which was read.

The Chair:

I would like my remarks brought forward on this bill.

(MR. WAGNER'S COMMENTS ON BILL NO. 587 - WEDNESDAY, 4/18/90)

Mr. Wagner:

I have one question. Director, does this include the bus ways?

Ms. Downing:

No. That study is being done independently by the Port Authority. We are actually going to use these funds for two transportation studies. One is a longer range study of different transportation alternatives, which will include looking at mass transit and rapid transit, but it doesn't specifically address this bus way issue right now, bus lane.

Mr. Wagner:

If that is the case, I would simply request that the study include the potential for a mass transit linkage between Oakland, the Technology Center and Downtown, and that has been discussed in the past in terms of alternative ways, whether it be light rail, bus way or whatever. But those linkages are very important in the future from all three points. So you are saying it will include that?

Ms. Downing:

Yes, because we are trying to look long range and we are looking at alternative transportation modes. So that will be one phase of that study.

(END OF REMARKS)
(Transcribed by Helen L. Kriebel)

Also,

Bill No. 588

A Resolution entitled, "Resolution authorizing the submission of an application for financial assistance in the amount of \$587,000 to the United States Department of Housing and Urban Development in connection with the Rental Rehabilitation Program for fiscal year 1990, execution of Grant Agreement upon award, and designation of the Urban Redevelopment Authority of Pittsburgh to implement the program."

Which was read.

Also,

Bill No. 589

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pitts-

burgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 25th Ward of the City of Pittsburgh, designated as Block 23F Lots 153, 154 and 155 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 590

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire properties in the City of Pittsburgh under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 591

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARD AND REARYARD)."

Which was read.

Also,

Bill No. 622

A Resolution entitled, "Resolution authorizing the filing of an application or applications for financial assistance for improvements associated with the Stadium Renewal Project by the City of Pittsburgh with the Department of Community Affairs, Commonwealth of Pennsylvania."

Which was read.

The Chair:

I would like my remarks brought forward on this bill.

(MR. WAGNER'S COMMENTS ON BILL NO. 622 - WEDNESDAY, 4/18/90)

Mr. Wagner:

Director, I will be brief. I would just like to make a comment on the record that I have discussed briefly with you and your Assistant Director, Mr. Farmer.

I am very much in support and I know Council is of this project to enhance pedestrian access to Three Rivers Stadium and also to Downtown. My concern is that the access points on the Downtown side are not convenient enough to generate the pedestrian traffic that we hope to generate between the two points.

I am simply asking you as part of these monies, the application and the design work, to do everything humanly possible to get your design people to try to find a more direct route to Fort Duquesne Boulevard, rather than people having to go into the park under the archway, across the bridge and the other length of the park to get to Downtown. If we are going to effectively utilize these pedestrian accesses and get people to park in Downtown, utilize Downtown restaurants, to go to the Stadium, we need to do everything humanly possible to make sure the access points are convenient. If they are not

convenient, we are not going to get a whole lot of people to utilize them.

So, if that means possibly looking at the other side of the bridge as, say, pedestrian walkway rather than the side we now have to get through the maze of ramps or somehow jumping under the bridge, whatever it may be, I am asking you to look at every potential alternative.

Ms. Downing:

Okay. We have made that commitment. We will study those alternatives.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 656

Report of the Committee on Public Safety for April 18, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 601

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Drug Forfeiture Money Trust Fund, for deposit of funds donated by the County of Allegheny, Office of the District Attorney from time to time, and authorizing the use of the funds deposited therein by the Bureau of Police, Department of Public Safety to be used for buy money, informant money, equipment, supplies, materials, education and miscellaneous services."

Which was read.

Also,

Bill No. 602

A Resolution entitled, "Resolution providing for the establishment of a Department of Public Safety, Bureau of Police Drug Forfeiture Money Imprest Fund."

Which was read.

Also,

Bill No. 603

A Resolution entitled, "Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo**

**Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)**

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 657

Report of the Committee on Engineering and Construction for April 18, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 584

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Architectural/Engineering Services in con-

nection with the Design of First Avenue Public Space Improvements; and providing for the payments of the costs thereof."

Which was read.

Also,

Bill No. 585

A Resolution entitled, "Resolution amending Resolution No. 1061, effective January 1, 1990, entitled, 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by adding a new line item (EC90-388), First Avenue Public Space Improvements."

Which was read.

The Chair:

I'd like my remarks brought forward on these two bills.

(MR. WAGNER'S COMMENTS ON BILL NOS. 584 AND 585 - WEDNESDAY, 4/18/90)

Mr. Wagner:

Director, in regard to this, has there been any communication with the Port Authority on the roadway work to be done here?

Mr. Sciulli:

Councilman, in every project we have, we meet with every utility and agency, they are all contacted prior to the design. They are invited to participate during the design process. I am sure they have been contacted.

Mr. Wagner:

I am sorry if I missed it. This project would actually be done, when, in '92?

Mr. Sciulli:

Construction will begin in '91. The first bill, 584, is to get a consultant to do the design. We anticipate the design to be completed by the end of the year, construction to start in the spring of '91.

Mr. Wagner:

All right. The reason I asked about the Port Authority, as you are aware, I am sure, they are talking about -- hopefully not talking, it will happen -- a bus way, Corliss bus way, which will come across the old Wabash Piers and dump into Downtown. One of the alternatives of roadways coming into Downtown is on First Avenue or Stanwix Street area. And the only reason I mentioned it is the Port Authority has yet to determine how they will bring their roadways into Downtown Pittsburgh with that project. And obviously, the First Avenue area could be a critical area.

Mr. Sciulli:

We wouldn't be using First Avenue as the through-way for that, but you are right, there may be some ingress or egress at the corner of First and Stanwix. Our staff has been in touch with the Port Authority on this.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

Mr. President, last weekend I had the opportunity to go to the Frick Nature Center for the dedication of a handicapped accessible nature trail. It's the first one of its type in the area. During the ceremonies and discussions that took place afterwards, I had the opportunity to talk to many people who are involved with the handicapped community of our area and one of the concerns which was brought up to me, and something that my office is currently working on, is the enactment of building inspection of carrying out the regulations which City Planning has put upon new buildings for handicapped accessibility. That's something that I'm working on right now to make sure that it's being done.

But one thing of concern that we may be able to deal with right now which was brought to my attention was the new Phar-mor Store which is located on the corner of Shady Avenue and

Forbes Avenue in the 14th Ward. It seems that when this store was designed, it was made handicapped accessible; however, the problem is that the handicapped parking spaces are at the bottom end of the lot. And if you're in a wheelchair, what you need to do is go out of the lot, down Forbes Avenue, up Shady Avenue, and enter the store from the side.

The folks that I spoke with on Saturday felt it would be more appropriate if the handicapped parking spaces were located at the top of the lot, right next to the store. And if the store could, put a small ramp in so that a handicapped person who wanted to use that facility would just need to get out of the car and take the ramp in.

I was hoping that maybe Council could send a letter to the owners of Phar-mor, not ordering them or anything, but ask them to look at the situation and maybe correct it so that it would be more accessible to the handicapped population of the City.

The Chair:

Mr. Perry, would you please proceed to do that?

Mr. Perry:

Yes.

Mr. Coyne:

Thank you.

Michelle Madoff:

I'd like to make a request for a post agenda, I guess Mike would schedule it, for West End-Elliott's Community Center and I'd like to have all the principals who would be involved present, Louise Brown, Planning, URA,

and we'll give you a list of all the people. The first opening that you have. And I'd like my colleagues to be here to see a community that has been cheated.

Mr. Coyne moved to approve the Minutes of Monday, April 9, 1990 and Tuesday, April 17, 1990.

Mr. Darkins seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Coyne**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, May 1, 1990

No. 18

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, May 1, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne:

Mr. President and Members of Council,

today I have with me members from the Pittsburgh Mediation Center. We have Mike Nash, Bob Gersch and Nancy Artz.

Mr. Coyne presents

No. 684 WHEREAS, the Pittsburgh Mediation Center provides mediation services as an alternative to settling disputes in both interpersonal and multi-party situations; and

WHEREAS, the Pittsburgh Mediation Center in partnership with the Carnegie Library of Pittsburgh has established neighborhood mediation sites at the East Liberty Branch Library, the Hazelwood Branch Library, the Hill District Branch Library, the Homewood Branch Library and the West End Branch Library; and

WHEREAS, the Pittsburgh Mediation Center has provided mediation services to the youth of our City by coordinating mediation programs through the Schenley High School Student Mediation Service and the East Hills Elementary School Conflict Management Committee; and

WHEREAS, the Pittsburgh Mediation Center provided agencies and organizations with training and technical assistance including conflict management training, negotiating skills building and community skills building; and

WHEREAS, during the month of May, 1990, the Pittsburgh Mediation Center, along with the Carnegie Library of Pittsburgh, the Better Business Bureau, the Family Mediation Council of Western Pennsylvania, the Pennsyl-

vania Council of Mediators, the Schenley High School Student Mediation Service, the East Hills Elementary School Conflict Management Committee, the Brashear Association, the South Oakland Citizens Council and the Northside Tenants Reorganization will participate in various activities aimed at promoting mediation in Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the month of May, 1990 as "Mediation Month" in the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne:

Thank you, Members of Council. Nancy Artz would like to say a few words for the Mediation Center.

Ms. Artz:

Good morning. My name is Nancy Artz and I volunteer as the Program Manager of the Keys to Peaceful Conflict Resolution Program at East Hills Elementary School. I'm also a volunteer community mediator with the Pittsburgh Mediation Center and a member of the Mediation Center's Board of Directors.

I'm here this morning along with other members of the staff and the board of the Mediation Center to thank the Council, particularly Councilman Coyne, for your support of the resolution proclaiming May as Mediation Month in the City of Pittsburgh.

You are to be commended for recogniz-

ing the vital service the Pittsburgh Mediation Center provides to the City.

Since 1981, it has compiled an impressive 92 percent success rate in helping neighbors, landlords and tenants, businesses and customers, rival youth groups, community groups and relatives to reach lasting and mutually agreeable solutions to their disputes. It is crucial to give mediation this kind of public recognition so that increasing numbers of people will be encouraged to choose it as a peaceful conflict resolution alternative.

The Mediation Center also illustrates a noteworthy model of community agency partnership since it joined with the Carnegie Library of Pittsburgh in 1987. In this partnership, the Library is able to extend the kind of community service it makes available to its patrons and the Mediation Center benefits from comfortable neutral and convenient locations for its mediation sessions.

The Mediation Center has its administrative office in the Homewood Branch of the Carnegie and offers its services in seven other branches.

In addition to direct mediation services, the Mediation Center's mission also includes education and training in mediation, negotiation, conflict management and communication skills. It provides workshops, seminars, and other kinds of classes tailored to the specific needs of groups or institutions.

A significant portion of the Center's work focuses on youth training. Working with parents, administrators and teachers, it helped to design and implement the Student Mediation Program at Schenley High School in which a segment of the student population has been trained as mediators to help fellow students peacefully resolve disputes.

A second model is in place at East Hills in which all students and teachers have been trained to use a peaceful conflict resolution process.

The central administration of the Pittsburgh Public Schools now recognizes the importance of empowering the children in its care with this lifetime skill of peaceful conflict resolution and will be working with the Pittsburgh Mediation Center to expand school based programs.

As a result of the success of the Pittsburgh Mediation Center, the annual conference of the Pennsylvania Council of Mediators will be held here in 1991. It will be a wonderful opportunity to showcase the unique relationship between the Mediation Center, the Carnegie Library, the neighborhoods and the City of Pittsburgh.

To celebrate Mediation Month, the Mediation Center has scheduled an array of interesting workshops and training sessions. A packet will be made available to each of you describing these activities. I invite you to attend some of these events and encourage you to encourage your constituents to also take advantage of them.

Again, thank you so much for your recognition and support of the Pittsburgh Mediation Center.

Mr. Darkins presents

No. 685 WHEREAS, The Third Episcopal District 1990 Mid-Year Convocation Services of the African Methodist Episcopal Church will hold their mid-year convocation services in Pittsburgh under the leadership of Reverend Samson M. Cooper and presiding Bishop, Reverend Richard Allen Hildebrand;

and

WHEREAS, these services will commence April 26, 1990 with a pre-convocation Lay Banquet at the Hyatt Hotel; and

WHEREAS, Dr. Yvonne Walker Taylor, past President of Wilberforce University and the only female President in Wilberforce's 134-year history, is the guest speaker for the banquet; and

WHEREAS, on April 27th, the Reverend Mickarl Thomas of the "historic" Charles Street A.M.E. Church of Boston, Massachusetts, will be the morning guest speaker at Bethel A.M.E. Church; and

WHEREAS, also on April 27th, the Reverend Dr. Benjamin L. Hooks, Executive Director of the National Association for the Advancement of Colored People, will be the evening guest speaker; and

WHEREAS, the Convocation will conclude on April 28th at Bethel A.M.E. Church with a "Working Breakfast" sponsored by the A.M.E. Church Women's Missionary Society; and

WHEREAS, over 700 guests will attend the Convocation from West Virginia, Ohio and Western Pennsylvania, spending thousands of dollars at restaurants, hotels and other businesses in the City of Pittsburgh, making a significant contribution to the City's economic growth.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh graciously welcomes the Third Episcopal District 1990 Mid-Year Convocation Services to the great City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the

Council of the City of Pittsburgh, on behalf of the residents of the City, extend to the Convocation membership hospitality, kindness and an invitation to hold future Convocations in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Carrie Brunett to come forward and Rick Flannagan.

Mr. Ferlo presents

No. 686 WHEREAS, Carrie and Patrick Brunett came to Pittsburgh from Riverside, California in September 1987; and

WHEREAS, Pat was attending medical school at the University of Pittsburgh and Carrie was operating a retail business on Penn Avenue; and

WHEREAS, Carrie saw a need to provide organized, after-school activities for youth in the Garfield and Bloomfield communities that would help them with their reading and general homework; and

WHEREAS, Carrie approached the Bloomfield-Garfield Corporation with an idea to sponsor such a project; and

WHEREAS, in April 1989, the Bloomfield-Garfield Reading Center opened to the public at 5108 Penn Avenue, due in large measure to the efforts of Carrie Brunett; and

WHEREAS, Carrie and Pat will be departing for California in June to live there per-

manently.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important contributions which Pat and Carrie Brunett have made to the lives of school children in the Bloomfield and Garfield communities through the opening of a neighborhood reading center, and wishes them the best of success in all of their future endeavors.

Mr. Ferlo moved to adopt the resolution.

Mr. Milllones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

The previous City Council was very supportive with some allocation of dollars, Community Development Block Grant, to assist the BGC in opening the reading center. It's very successful, it's very well-attended by children in the community, and it certainly has generated a lot of volunteers who work in the community.

Carrie and her husband, Pat, Dr. Pat who I assume is not able to be here today, unfortunately -- I don't like to pass proclamations when people leave the City, but recognizing that they have made such an important contribution I thought is very important and they were honored this past Saturday at a special event at the community group office, and I just wanted to take the time to show all of our appreciation for your hard work.

Ms. Brunett:

I would like to thank Jim Ferlo and the rest of City Council for this honor on behalf of a very large group of people in our neighborhood that have pulled together to make this Reading

Center work.

I would also like to commend the Bloomfield-Garfield Corporation for shouldering the financial burden of the Bloomfield-Garfield Reading Center. This library has made a tremendous difference in upgrading the quality of life in this neighborhood.

For folks who didn't know it, the Bloomfield-Garfield Reading Center in partnership with the Pittsburgh Literacy Council offers adult tutoring for improving reading skills. Children of all ages may get help with their homework due to the tireless efforts of our wonderful volunteers. And everyone may take advantage of the many on-going cultural programs the Reading Center offers such as story hours for children, poetry readings, films for everyone, and lectures.

This Reading Center really is a group effort that truly demonstrates the principal that many hands make for light work.

So, I hope that other Reading Centers in the City have the good luck that we have had and I hope that this Reading Center will serve as a model for other communities in the United States.

I love Pittsburgh and it's been a pleasure to live here. Thank you very much.

Ms. Fortson:

It's an honor to be here. I'm a volunteer with the Bloomfield-Garfield Neighborhood Reading Center primarily because of the professional volunteering recruitment of Carrie Brunett. Because of her I volunteered my services there in poetry and other lectures.

Thank you for the opportunity.

Mr. Regan:

I'd like to have my friends from Poland come up here, please.

The Chair:

Mr. Frank Eckle and Mr. Don Brennan, representing Fe. International.

Mr. Regan:

And Christopher DeMontfort from Katowice, Poland.

Mr. Regan and Mr. Wagner present

No. 687 WHEREAS, the rapidly changing state of affairs in Europe is presenting opportunities never before realized; and

WHEREAS, the Poland - U.S.A. Society in Katowice, Poland has expressed its readiness to enter into an abiding cooperation with the City of Pittsburgh based on the "Sister Cities" formula; and

WHEREAS, no other City in Poland may prove to be a better match with Pittsburgh under the Sister Cities formula, than Katowice, the largest industrial center in Poland, with a population of 1/2 million; and

WHEREAS, a Sister Cities Agreement between Pittsburgh and Katowice would open the door for wide cooperation and exchange between the two cities in the spheres of: economy, culture, art, science, tourism and ecology.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby urges the Mayor of the City of Pittsburgh to expeditiously take the proper steps in establishing a Sister Cities relationship

between Pittsburgh and Katowice, Poland which will create lasting ties and friendly relationships between the two cities.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Normally I get to go ahead, but since the President of Council is involved in this, I have to step back and let him take over from here. I hope you gentlemen understand that.

The Chair:

Mr. Regan, I would still like you to introduce these gentlemen, but I'd like to say a word or two first, and present these resolutions to them.

This resolution is actually a two-step process urging the Administration to join the Sister City Organization and to make Katowice the Sister City in Poland.

In addition, we are introducing a resolution today allocating \$600 to join the International Sister City Organization urged by these gentlemen as being the right and proper thing to do to enhance the City of Pittsburgh and that city in Poland. It will create tremendous economic opportunities and ties which we have not had in the past.

We welcome all of you here today and I'd like Frank Eckle and Don Brennan to please say a few words.

Mr. Brennan:

The passage of this resolution further ex-

emplifies the support of democracy and the democratic institutions in Eastern Europe. The Eastern Europeans are going through turmoil right now and the extent of the need for democratic principles in the form of municipal government leadership and ties with democratic cities such as the City of Pittsburgh and other cities throughout the United States and the need of Sister City International to establish not only technological and commercial and cultural ties is very evident to the Poles.

We all want to see Eastern Europe established as a bastion of democratic institutions. Without the support of individuals such as yourself and without the support of the United States, Eastern Europe is going to fail in its attempts to revert to a democratic system.

So, we'd like to thank you for your interest and for your commitment and your support on behalf of Sister Cities International and on behalf of the City of Pittsburgh and we at Duquesne University and also with Fe. International. Thank you.

Mr. Eckle:

This is very important to us, not only for our interest in the political changes that are taking over there, but it opens up a realm of business opportunities for us to help Eastern Europe and, like everything else, expand the business opportunities in our part of Pennsylvania. We wish to do this through helping joint ventures arise where products finished from this area can be exported and then shipped to other areas over there.

Through the efforts of Jan Sajkiewicz and Christopher DeMontfort, we're able to do these things and we want to work with the other bureaus who do nationwide or international business. We just want to be the focal point for the Polish entity and then from there into other

East Bloc countries. Thank you very much.

Mr. Christopher DeMontfort:

As a friend adopted by Pittsburgh Citizens of Poland, I would like to say thank you for your interest because Polish people really wait for support from American people. And you know traditional old ties are very important to be upkept. People in Poland interested in American democratic traditions, they only want a piece of action. And I think this step on the side of City Council in Pittsburgh is very helpful for our Polish people to develop their democratic system. Thank you very much for this.

Dr. Jan Napolan Sajkiewicz:

Myself being in Pittsburgh and from Katowice, I would like to express my gratefulness to the Council and to the people of Pittsburgh for their willingness. Sister City was my city of origin. Thank you very much. It's a great moment in my life.

Mr. Regan:

Maybe we can all get together in December and say, "Silent Night and Holy Night". (translation)

Good luck to you and we're honored to be able to help you in City Council here today. Thank you.

The Chair:

I'd like to thank my colleague, Mr. Regan, because we talked about this several weeks ago and the gentlemen that were here urging us that we do this and do it expeditiously.

There's one final step left also that this resolution go over to the Mayor's Office immediately today and we ask the Mayor's Office to

complete the formal actions that are necessary because Pittsburgh is in competition with other cities in America to become the Sister City for Katowice. Thank you.

Mr. Ricciardi:

I'd like to ask Julia Fortunato, Executive Director of Elder-Ado and Philip Cheswick, Member of the Board of Directors of Elder-Ado to please step forward.

Mr. Ricciardi presents

No. 688 WHEREAS, Elder-Ado, Inc. has been named as the 1990 Grand Champion Winner of the Pennsylvania Hall of Fame of Champions of Older Workers; and

WHEREAS, Elder-Ado, Inc. has senior centers in Knoxville, Carrick and Beltzhoover serving our older adults; and

WHEREAS, Elder-Ado, Inc. has been selected from more than 100 nominations statewide; and

WHEREAS, Elder-Ado, Inc. was nominated for this honor by the Allegheny County Department of Aging; and

WHEREAS, the Hall of Fame includes employers from around the state who have made exemplary efforts to hire our older adults in their workforce.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Elder-Ado, Inc. for its commendable efforts on behalf of our older citizens.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Over the past year I have had an opportunity to visit two centers in Knoxville and Beltzhoover and I was very impressed with the management and the dedication and programming of these centers.

After much discussion with Council President Jack Wagner, who has not only visited all the centers including the Carrick center, we decided to give this resolution today.

I'll ask Julia who is the Executive Director if she would please say a few words.

Ms. Fortunato:

Thank you, Gene, Jack and Council.

On behalf of the Elder-Ado Board of Directors, staff and members, we're very honored to receive this award and we feel as though hiring older people has been an advantage to us and not only stabilized the community, they stabilized our agency. We're very proud of this honor and I thank you very much for extending it.

Mr. Cheswick:

Thank you, Council. We feel, at the Board of Elder-Ado, that this is a testimonial to the personal efforts of Julia Fortunato. She has done magnificent work with very minimal funds. The services provided in that area of the City of Pittsburgh I believe speak for themselves. And hopefully, 50 years from now, we'll be back here to accept another award. Thank you very much.

Mr. Ricciardi:

I would like to ask Michael Senko, Program Director of Special Populations, and Cheryl Brown, Center Director at Northview Heights, to please step forward.

I'd like to also ask Bishop Darkins and Councilman Ferlo if they would bring up our 100 year old nominees today.

I must say, when I came out to the audience looking for the two people that are 100 years old, I passed them by. I had to ask Mr. Senko where they were, but we have found them.

We have 35 resolutions today, and Michael Senko will take each one to one of our senior centers throughout the City of Pittsburgh.

Mr. Ricciardi presents

No. 689 WHEREAS, the month of May is an ideal time to honor Pittsburgh's senior citizens because with the spring season comes the celebration of brighter days and the promise of a full life; and

WHEREAS, the theme of this month-long tribute is "In Praise of Aging" in recognition of senior adults as a vital part of the Pittsburgh community; and

WHEREAS, Citiparks' senior centers facilitate the social, emotional and physical well-being of older adults and promote the older person's confidence in his or her ability to lead an independent life; and

WHEREAS, "In Praise of Aging" aims at sensitizing seniors to their own capabilities and celebrating the richness of growing older.

NOW, THEREFORE, BE IT RE-

SOLVED, that the Council of the City of Pittsburgh hereby declares the month of May as "Older Americans Month" in the City of Pittsburgh to heighten community awareness of elderly citizens and their activities; and, that the week of May 7 through May 11, 1990 be recognized as "Senior Center Week" in conjunction with the programs conducted by Citiparks; and

BE IT FURTHER RESOLVED, that the Citiparks Century Club is established this day in consideration that in 1990 two active participants have realized a "Century of Living" and, that both Gemma Ommogrosso and David Christian are recognized today.

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Mr. President and Members of Council, it is only fitting today that we honor our older adults for all the time and energy that they've given us in the past. I'd like to ask Ms. Brown to please say a few words.

Ms. Brown:

On behalf of both David and Gemma, they'd like to express their appreciation for this award as well as the many other seniors throughout the City of Pittsburgh that have reached the ripe age of 90 or above.

At this time, I'd like to also extend an invitation to all of you to come and celebrate Older Americans Month with us starting next Monday here at the City County Building downstairs. There will be a number of various activities in which the seniors themselves are taking part in, namely one, a fashion show which Gemma

modeled for the Gala but, unfortunately, for Older Americans Month she declined. She said she's hanging up here modeling shoes. She's going to hand them down to someone else.

So, again, we'd like to thank you on behalf of both David and Gemma and the other seniors from the other centers. Thank you.

Mr. Ricciardi:

I would like to ask Mr. Christian and Gemma to say something.

Mr. Christian:

I feel fine and happy to be here. I enjoy this.

Mr. Ricciardi:

When is your next birthday, Mr. Christian?

Mr. Christian:

June 10th. I will be 101.

Mr. Ricciardi:

Gemma, would you like to say a few words, please?

Ms. Ommogrosso:

Thank you for everything. My birthday is October 24th. I was born in 1890 and I will be 100 years old.

Mr. Ricciardi:

Congratulations. Thank you very much.

The Chair:

Thank you, Mr. Ricciardi, for two excellent resolutions. The previous one, Elder-Aldo, also pertains to senior citizens and disadvantaged people and they're very appropriate today.

The Chair presents

No. 690 WHEREAS, David Welty, AKA (also known as), "The Minister of Truth" is retiring after more than 30 years of public services; and

WHEREAS, Mr. Welty began his public service career in 1959 as Press Secretary to Mayor Thomas Gallagher. During the next 30 years Mr. Welty served primarily as press secretary to four other Mayors--Mayor Joseph Barr (1960 - 1970); Mayor Pete Flaherty (1970 - April, 1977); Mayor Richard S. Caliguiri, (April, 1977 - May, 1988) and Mayor Sophie Masloff (May, 1988 to present); and

WHEREAS, Mr. Welty also held other positions in public service such as Chief Clerk in Public Safety (August, 1963 - June, 1968); Executive Secretary to County Commissioner Thomas Foerster (June, 1968 - September, 1968) and as Executive Secretary to Mayor Joseph Barr (January, 1969 - to December, 1969); and

WHEREAS, prior to beginning his career in government Mr. Welty was a member of the Pittsburgh news media serving as a reporter for 14 years with the Sun-Telegraph.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby extend its most sincere appreciation and thanks to David Welty for his years of service to the citizens of Pittsburgh. In recognition of those years of service Council declares Monday, April 30, 1990 as DAVID WELTY DAY in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council also extends its best wishes to Mr. Welty for a long, happy and safe retirement as he enjoys his planned travels throughout the United States.

Mr. Milliones moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Regan presents

No. 691 WHEREAS, the nuclear disaster which occurred four years ago at Chernobyl, Ukraine, continues to endanger the lives and welfare of millions of the world's people; and

WHEREAS, it is necessary to remind ourselves that great needs have been created by this misfortune, and that much remains to be done to alleviate the illnesses and suffering it caused; and

WHEREAS, concerned citizens in Ukraine have asked people of Ukrainian ancestry throughout the world to stand with them in prayer and solidarity; and

WHEREAS, Pittsburgh citizens of Ukrainian descent, with their friends and other concerned people, will be assembling at 12 noon in Market Square on Thursday, April 26, 1990 to mark the fourth anniversary of the catastrophe and promote aid for the victims as well as a renewed awareness of the work that needs to be done.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the efforts of the Ukrainian population and all concerned citizens involved in the rally being held in Pittsburgh's Market Square in remembrance of the nuclear disaster

which occurred in Chernobyl, Ukraine.

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 668 Resolution amending Res. No. 1020, eff. Dec. 31, 1988, entitled, "Providing for a Contract or Contracts, or use of existing Contracts for Repairs to Retaining Wall No. 12 of the Bloomfield Bridge; and providing for the payment of the cost thereof," by amending the total project allocation by \$17,142.01 from \$45,000.00 to \$62,142.01, chargeable to and payable from the Bloomfield Bridge Trust Fund. The actual measured materials and time to perform the work exceeded the original estimated quantities.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 669 Resolution providing for an Agreement of Lease with Commerce Realty Associates, L.P., for certain office, computer and storage space, together with the right to use in common with others the common areas in the Chamber of Commerce Building, 411 Seventh Avenue, Pgh., Pa. 15219, for a term of one (1) year, but with an option to extend said lease for two (2) one-year terms, at an annual rent not to exceed \$223,102.50 for the period of April 15, 1990 through April 14, 1991; \$225,312.75 for the first extension term of April 15, 1991 through April 14, 1992; and \$227,744.03 for the second extension term from April 15, 1992 through April 14, 1993, for the purpose of securing space to be used for administrative functions by the Mayor's City Information Systems Office

(CIS), subject to and contingent upon the annual appropriation by City Council for funds stated in Agreement of Lease, chargeable to and payable from Code Account 1128, Miscellaneous Services, Department of General Services.

Also,

No. 670 Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, with a Consultant or Consultants for the Certification of business firms as Minority or Women owned for the City of Pittsburgh, at a cost not to exceed \$12,000.00, chargeable to and payable from Code Account 1128, Miscellaneous Services, Department of General Services.

Which were read and referred to the Committee on General Services.

Mr. Darkins presented

No. 671 Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$2,484.79 in payment for Railroad Flag Protection during the clean up of a major mud slide on Schenley Hill, during the months of March and April, 1989, chargeable to and payable from Code Account PW 89-16, Capital Construction.

Which was read and referred to the Committee on Finance.

Also,

No. 672 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacement at various locations within the City of Pittsburgh at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account PW 88-03, Concrete Slab Replacement Program - HACP Communities..... "1989 Project Fund."

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 673 Resolution adopting Official Sewage Facilities Plan for Warriors Hill Plan of Lots.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 674 Resolution authorizing the URA of Pittsburgh to utilize \$150,000 of Neighborhood Development Program Funds in connection with the Western Restoration Center Development (COUNCIL DISTRICT #6). The Western Restoration Development involves the conversion and rehabilitation of a former nursing home, nurses' quarters and a tuberculosis hospital into a facility for the independent elderly, an extended attention facility and a skilled nursing care facility. The U.S. Dept. of Housing and Urban Development Section 202 Program will fund the independent elderly facility and a combination of tax exempt revenue bond funds and other URA funds will finance the extended attention and skilled nursing care facilities. The total development cost of all three facilities is estimated to be \$9.5 million.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 675 Resolution providing for the issuance of a warrant in favor of Matrix Communications Associates 7139 Meade Street, Pittsburgh, PA 15208, in the amount of \$385.00, in payment for professional consulting services rendered to Michelle Madoff, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, as needed, District #2, City Council.
---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Millones presented

No. 676 Resolution authorizing and directing the Mayor, Controller, designated as the Solid Waste Trust Fund (SWTF) for the deposit of monies from donations, contributions, or grants related to solid waste and authorizing the use of monies deposited therein by the Department of Environmental Services for costs relating to grants and special solid waste projects.

Which was read and referred to the Committee on Finance.

The Chair presented

No. 677 Resolution providing for the issuance of a warrant in favor of Sister Cities International, 120 South Payne St., Alexandria, VA 22314, in the amount of \$600.00 in payment for membership dues for 1990, chargeable to and payable from Code Account 1017, (101709), Miscellaneous Services, Office of the Mayor. **-(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 678 Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company in the amount of \$4,984.00 for the purchase of office furniture for City Council, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, etc. (Index Code 100115). **---(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 679 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market

value of securities pledged as collateral by City Depositories as of February 28, 1990.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 680

Report of the Committee on Finance for April 25, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 625

A Resolution entitled, "Resolution transferring the sum of \$10,000.00 from Code Account 46, Judgments (004606), to Code Account 48, Financial Responsibility First Party Claims (004804)."

Which was read.

Also,

Bill No. 642

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Community College of Allegheny County for professional services in connection with the City's Summer Employment Project for Special Adult City Residents at a cost not to exceed \$4,500.00, chargeable to and payable from Code Account No. 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 681

Report of the Committee on Public Works for April 25, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 619

A Resolution entitled, "Resolution granting unto Stephie B. Mourra, 1940 Warren Street, her successors and assigns, the privilege and license to construct, maintain and use at her own

cost and expense, a wall around parking area on a portion of the sidewalk of Rising Main Avenue in the 25th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 620

A Resolution entitled, "Resolution vacating a portion of Rockland Avenue, Curtis Street, Ravine Street, Jasper Street, Unnamed Way, Paul Street, Laclede Street, Ihmsen Street, Pfeil Street in the 17th Ward, District 3, and 18th and 19th Wards, District 4, City of Pittsburgh."

Which was read.

Also,

Bill No. 621

A Resolution entitled, "Resolution dedicating certain parcels known as LRT 650J, 650K, 650L and 650M, all within the 17th Ward, District 3, and 18th and 19th Wards, District 4, City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 682

Report of the Committee on General Services
for April 25, 1990 transmitting two resolutions
to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 626

A Resolution entitled, "Resolution providing for
a Contract or Contracts or the use of existing
Contract or Contracts to purchase refill bag
valves for the Bureau of Emergency Medical
Services and providing for the payment
thereof."

Which was read.

Also,

Bill No. 627

A Resolution entitled, "Resolution providing for
a Contract or Contracts or the use of existing
Contract or Contracts for the purchase of germa-
vac splints for the Bureau of Emergency Medi-
cal Services and providing for the payment
thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 683

Report of the Committee on Engineering and
Construction for April 25, 1990 transmitting
one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 618

A Resolution entitled, "Resolution further
amending Resolution No. 50, effective Febru-
ary 3, 1987, as amended by Resolution No. 981,
effective December 11, 1987, as amended by
Resolution No. 63, effective February 21, 1990,
entitled, 'Providing for a Cooperation Agree-

ment or Agreements with THE CARNEGIE for design and construction of the Relocation of North Shore Drive thru a portion of Stadium Parking Lot #1, and the demolition and removal of an existing section of said Drive; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, and/or the Department of Transportation; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$160,000.00 from \$1,260,000.00 to \$1,420,000.00."

Which was read.

Michelle Madoff:

May I remind my colleagues that this was the bill where the dollars were extended without the approval of this Council. We were notified after the fact, essentially, last Wednesday and I am going to abstain on this vote.

Mr. Cohen:

I'd like my comments on this bill brought forward, please.

Michelle Madoff:

I'm going to change my vote to no and I'd like my comments brought forward also.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 618, WEDNESDAY, APRIL 25, 1990)

Michelle Madoff:

Discussion. Fred Reginella, please.

Fred, is this because of the suggestions that were made by Councilman Wagner to try and change some things or is this already something else that was on the books? What specifically are we increasing the dollars for?

Mr. Reginella:

Let me provide you with -- first of all, let me say that this project, for the benefit of those members of Council that may not be aware of the nature of the project, the conditions under which it was instituted, let me provide you with a letter that we received from The Carnegie at the onset of the project stipulating the projected cost of the project.

As you can see at the bottom of Page 1, the cost of the project was to have been \$1.35 million. I will also give you the current projected cost which is \$1.4 million. For an increase of essentially \$50,000.00. The increases are due to three basic things.

The original cost was supposed to have been \$1.35 million, the current cost which is more or less the projected final cost is \$1.4 million, so we have an increase of about \$50,000.00.

In increases were brought about by some extra work that we requested of the electrical contract which had to do with our increasing some signage along the relocated roadway to conform with PennDOT's requirements. That increase, as you can see if you compare the respective line items, is about \$17,000.00.

Also if you recall, a few weeks back we were here in Council requesting an increase of \$10,000.00 for some trees and that has already been approved. That increase is \$10,000.00 for the planting of some trees. Additionally, we found it necessary to retain the services of a consultant during construction for an additional cost of about \$47,000.00 and that actually comes to about \$77,000.00. Obviously some things during the execution of work decreased to make the net increase approximately \$50,000.00.

Now the reason for the \$160,000.00 is simply this. The City entered into an agreement with The Carnegie for \$1.25 million back in 1987, considerably well in advance of the time that the real project costs were known. That figure, \$1.25 million, was based on the availability of funds not so much the actual cost

of the project. I think the City was saying to The Carnegie that we will give you \$1.25 million toward the construction of this roadway and if the costs of that construction exceeded the \$1.25 million, then The Carnegie would have to be responsible for the increases however, the political reality of the situation has dictated otherwise. The costs were indeed \$1.35 million to begin with and are now \$1.4 million so the City has agreed to provide The Carnegie with the additional funding hence the reason for \$160,000.00.

Michelle Madoff:

Additional dollars?

Mr. Reginella:

Let me also say this. The original commitment of the City to this project was \$750,000.00 and we have not changed that figure for the simple reason that in the interim the Department applied for a grant from the state and received a grant of \$600,000.00 from the state so were not really increasing our participation with having to provide additional dollars, we're merely --

Michelle Madoff:

-- what of percentage is this?

Mr. Reginella:

-- this was a grant. This had nothing to do with the standard federal/state contribution.

So that as I said, the original commitment on the part of the City of \$750,000.00 remains unchanged because of the contribution from the state.

Michelle Madoff:

If I look at what you have given me here, how did you determine those numbers?

Mr. Reginella:

Those numbers were for the the costs of construction.

Michelle Madoff:

Is this all done now?

Mr. Reginella:

Right.

Michelle Madoff:

So they bid.

Mr. Reginella:

Not to the City but to The Carnegie because The Carnegie constructed this project and designed it and managed it.

Michelle Madoff:

How much money put into the whole thing?

Mr. Reginella:

As far as road relocation, none.

Michelle Madoff:

Let me tell you what my concern is and you know what it is. How did we come up -- who actually cost out all of these items so we know that these are realistic costs of doing business? Your family is in the business of construction and you've been in it all your life and you exactly what I'm talking about. Did someone price the brick, the metal, the cement, was it actually priced out? What cost estimator did all of this?

Mr. Reginella:

The costing was performed by the consultant on behalf of The Carnegie which is Michael Baker. They did the cost estimating.

Michelle Madoff:

On what basis? Did they do it on materials? You have seen it, you initialed it, you checked to see that they priced everything?

Mr. Reginella:

Their cost estimate was submitted to the Department for review.

Michelle Madoff:

And you picked up the phone and called the suppliers and doublechecked to see if those prices were right.

Mr. Reginella:

No, none of that. I don't think that's quite the way to do a cost estimate. That's an issue for another day.

Michelle Madoff:

But it is the issue for today because your former boss sat here at the table and said "We can't do that, we don't have time for that". Well, that's costing the City a lot of money so we could be spending money in other directions. I don't know, it may be a fair figure but based on everything I've seen over the years I don't think it is but I have no way of proving that.

Mr. Reginella:

The estimate has no bearing on the ultimate cost of the project. These were prices that were bid. These are the result of a competitive bidding process so the cost of the project is determined by whatever the contractors are willing to do it for.

Michelle Madoff:

On the RFP that went out to the construction people and the bidding process, was there anywhere, any number that indicated anywhere how much money we had to spend on the project?

Mr. Reginella:

The RFP does not go -- the scope of work does not in any way shape or form state what the cost of the project will be or is or what we think it is.

We put out a set of bid documents consisting of drawings and specifications and there is no prices quoteed on those documents in any way, shape or form.

Michelle Madoff:

And we did not say we want to build this road.

Mr. Reginella:

No. As a matter of fact, because the project was bid by The Carnegie, we did not go through the usual bidding process whereby we advertise for bids it was all handled by The Carnegie. We simply committed \$1.25 million toward that construction by virtue of an agreement between the City and The Carnegie.

Michelle Madoff:

Who is Bruce and Merrill?

Mr. Reginella:

They are the electrical contractor. They did the lighting, the roadway signals and all of the other related wiring.

Michelle Madoff:

Who was next highest bidder? Is there a lower bidder?

Mr. Reginella:

Not a lower bidder, no. I don't know who that other firm is.

Michelle Madoff:

Is there additional work that's going to be done?

Mr. Reginella:

No. As far as we're concerned the City has no further obligations beyond the participation and the construction and the relocation of the roadway.

Michelle Madoff:

I have some real concerns, they're universal concerns and this was circumvented because you didn't actually do bidding, it was done by Carnegie and hopefully that is a realistic price and I have no way of finding that out.

Mr. Cohen:

Mr. Reginella, let's focus on the numbers for a moment. We had discussed this earlier and it's very confusing. This was originally a \$1.25 million project and then we moved from --

Mr. Reginella:

-- no, it wasn't. Originally the URA and the City combined to provide funding for this project to the tune of \$1.75 million. It's \$1 million coming from URA and \$750,000.00 coming from the City. Of that amount \$500,000.00 was earmarked for Rockland acquisition and the remaining \$1.25 million were then assigned to the actual construction of the roadway and that is the reason why the City entered into an agreement with The Carnegie for \$1.25 million because that was all that was available and at that point in time the cost of construction wasn't really realistically known so it was just a matter of City agreeing with The Carnegie that we will provide \$1.25 million toward the construction of the roadway.

Mr. Cohen:

But originally it was a \$1.25 million project.

Mr. Reginella:

That's correct.

Mr. Cohen:

This chart that you gave us just now shows \$1.35 million. Tell me how we got from \$1.25 million to \$1.35 million?

Mr. Reginella:

As I stated earlier, the figure \$1.25 million wasn't predicated on actual costs, it was predicated on the availability of monies. That was all that was available so it was agreed that that's what we would provide.

Mr. Cohen:

That was supposed to be all that we're going to give to The Carnegie.

Mr. Reginella:

That's correct, that was our understanding at the time.

When the bids were taken it developed that the actual costs would \$1.35 million, so technically we were \$100,000.00 short at that point in time.

Mr. Cohen:

Was there discussions with The Carnegie at that time when the actual costs came in?

Mr. Reginella:

I have not been privy to those discussions but I would have to presume that the Department had discussions with The Carnegie and with the blessing of the Administration and it must have been agreed that the additional funding will be provided.

Mr. Cohen:

And how did we get from \$1.35 million to the \$1.42 million?

Mr. Reginella:

That is the extra work that I discussed earlier with Michelle.

Mr. Cohen:

I counted those numbers and they do not add up.

Mr. Reginella:

There was \$17,000.00 for electrical work and about \$47,000.00 for additional consulting services.

Mr. Cohen:

That The Carnegie decided they needed. What were those consulting services for?

Mr. Reginella:

I was hoping you wouldn't ask that question.

Mr. Cohen:

You knew somebody would.

Mr. Reginella:

I say this reluctantly because of the sensitive nature of the services.

During construction we ran into some contaminated soil at which point we had to bring in an expert to investigate the nature of the contamination and those services amounted to \$47,000.00. The consultant did the study it was contaminated and therefore the material earth had to be removed from the site, it had to be farmed -- that's the term that is used to describe the particular method that was used for treating the area at the site and they will be excavating it and turning it over several times and allowing it to dry thereby allowing the contaminants to evaporate into the atmosphere.

After that process was completed the material was removed from the site to a licensed dumping site.

Mr. Cohen:

Who actually did the work for this?

Mr. Reginella:

The consultant that was responsible for doing the investigation was the consultant listed in the letter.

Mr. Cohen:

But it was done through The Carnegie.

Mr. Reginella:

Yes. All contractual obligations all the contractual responsibilities were carried out by The Carnegie. The consultant that did the soils investigation was the Earth Science Consultants at a cost of \$47,000.00.

Mr. Cohen:

Was that the work for transporting these contaminated materials and also testing them?

Mr. Reginella:

I believe that that involved all of the efforts on the part of the consultant for determining the nature of the contamination to begin with for recommending the appropriate treatment procedures. The actual hauling of the material was performed by the general contractor, Dan Construction.

Mr. Cohen:

Has that problem been rectified?

Mr. Reginella:

Yes and the site is clear.

Mr. Cohen:

Well, this is I guess the second time that we have had additions to this project and this is for another \$60,000 or so. How much more money is Engineering and Construction going to ask us for this project?

Mr. Reginella:

This is it. The job is completed but there are some remaining punch list items that electrical contractor has to perform. As far as the general construction is concerned it is totally completed and we have had final inspection and the project is completed so there are no additional costs involved.

Not all invoices have been submitted so there is a slight cushion in our request of about \$20,000.00 because we don't know what the final invoices will be. That is the why the total figure reads \$1.24 million as opposed to \$1.4 million.

Mr. Cohen:

Other than anything that is on the books now there won't be any additional requests for money.

Mr. Reginella:

Yes.

Michelle Madoff:

If you thought that was a question you didn't want to hear I'm going to ask you another one. Twice today you said for the political reasons we came up with the money, would you explain that please?

Mr. Reginella:

I guess what I meant was the relationship between The Carnegie and City made it compelling upon the City to provide the additional funding. Perhaps it was a poor choice of words on my part.

Michelle Madoff:

Was that on in this Council to increase the money?

Mr. Reginella:

You are doing it now.

Michelle Madoff:

You mean it's already been spent and it's already done and you're coming to Council.

Mr. Reginella:

It's not spent because if we fail to pass this legislation we will not be able to amend the agreement with The Carnegie and therefore we will not be able to pay them. We're not committed to the contractor.

Michelle Madoff:

I am not attacking you. Has this work already been done?

Mr. Reginella:

The work has been performed, yes.

Michelle Madoff:

Who ordered the additional work?

Mr. Reginella:

The Carnegie.

Michelle Madoff:

Who decided the City was going to pay the difference?
Mr. Reginella:

That I can't answer but it seems to me that a commitment was made by the former Director prior to his departure with the blessing of the Administration.

Michelle Madoff:

Did this Council vote on it?

Mr. Reginella:

You are voting on it now.

Michelle Madoff:

After the work was done. What do you mean we're voting on it now?

Mr. Reginella:

Please understand that we are not under contract with the contractor. That is, he is not under contract with the City so we don't deal with the contractor. These are merely the results of negotiations between the City and The Carnegie.

Michelle Madoff:

Again, get the chip off your shoulder. Honestly, I'm not attacking you right now.

Mr. Reginella:

I believe you have the right to ask all of the questions regarding this legislation.

Michelle Madoff:

My question is that somewhere along the line there was some additional monies needed for whatever reason. Whether they wanted some trees or whether we ran into a hazardous material problem or whether we wanted to make the road better, there was some electrical other work. We made a commitment of \$1.2 million or \$1.3 million to this project from the City initially and that dollar amount has grown and the department director, Mr. McDermott, made a decision that he was going to pay for these additional things. He checked with the Administration and they said yes we're going to do it and the procedure should normally be that we come back to Council and say we have a problem. We think we ought to help this project. Now you may have come back

to Council, I don't know but my question is, did you come back to Council?

Mr. Reginella:

No, but maybe I have an explanation for that question also.

The monies that were spent by the URA for property acquisition amounted to \$400,000.00 instead of the \$500,000.00 that they had originally requested so \$100,000.00 did come back from the URA which made it available we thought for use toward the construction costs. However, when the money came back from URA, it went back into the trust fund and we are not able to tap that money until we have Councilmatic approval. The perception on the part of the Director was that he could use the \$100,000.00 that was being returned from URA to the City without having to come back to Council, that was his misunderstanding on that score.

Michelle Madoff:

I think it's up to the Finance Chairman and Members of Council to address the issue of, he thought, he was misunderstanding -- there is a procedure. The public elects a City Council to overview the budget money and in this case and in other cases nobody came back for our approval and now that the work is done we told to voted for it so we can pay for it.

Mr. Reginella:

Council did authorize the creation of a trust fund for an amount of \$1.75 million and the feeling was that as long as we could not exceed that amount we would not have to come back to Council but that isn't the case however because as I said, the money going back into the trust fund we can't use it. In essence what we are doing is amending the agreement between the City and The Carnegie. That is the reason for coming back to Council.

Michelle Madoff:

And the \$1.75 million that is in the trust fund, was that assigned for this project alone?

Mr. Reginella:

Yes, and then of course that has to be supplemented by the \$600,000.00 we got from the state.

Michelle Madoff:

I'm only saying there is a procedure and why Council was created and if we're supposed to be doing the approving of

monies it shouldn't be after the fact, it should be before the fact.

Mr. Reginella:

This particular case was different because we are not the people authorizing the actual construction.

Michelle Madoff:

We also do not have to give them the money either.

The Chair:

Are we prepared to vote? Those in favor of the motion indicate by saying aye? Opposed?

Michelle Madoff:

Abstain.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, very briefly. It's been known by Equitable Gas ratepayers and anybody who pays an Equitable Gas bill has known for some time that the company is seeking yet another significant rate hike of 10.7 percent. That would amount to about a \$29.5 million rate hike.

That petition by Equitable Gas is now before the Public Utility Commission. It has been under review for the last couple of months. This is on top of a 10.4 percent rate hike that Equitable Gas Company received just a year ago.

A number of parties across Pennsylvania, on behalf of the consumers, have filed formal complaints in attempt to challenge and to block this rate hike. I've also joined on behalf of ratepayers to challenge this rate hike. The Pennsylvania Consumer Advocate has joined and as of just a few days ago, congratulations and thank you to our new City Solicitor, Ms. Conturo, who also has filed, on behalf of the City of Pittsburgh, to challenge this rate hike.

I want to thank her publicly for following up and following through on a commitment and a pledge that she made during her inauguration proceedings where she talked about being an advocate in the position of City Solicitor, and I want to publicly thank her.

What is important, however, is that after a meeting in Harrisburg, we have requested, along with about 1,000 other people in the form of letters to the Commission, we have asked for a formal public hearing to be held by the Public Utility Commission here within the City of Pittsburgh, within the territory of the Equitable Gas customers. And as part of the elaborate proceedings before the PUC, they will hold a formal public hearing before the Commission. In fact, it will be here in these Chambers, at my request, on Thursday, May 17, 1990 at 6:30 p.m. in the evening.

I'm going to be communicating to our great Mayor and hope that she will be able to testify to the Commission on the impact of this rate hike. I hope that the small business community will show up and turn out and speak about the rate hike. I hope that individual consumers will show up and speak about the impact of yet another significant rate hike on the backs of individuals who I think are already paying their fair share for natural gas and certainly winter heat.

So, I just want to reiterate that we need a good attendance at this public hearing before the

Commission. It's right here in Council Chambers on the evening of Thursday, May 17th. You don't have to sign up in advance to speak. You can appear that evening and address members of the Commission. It's my hope that Mr. Rhodes and other members of the Commission will be present also.

So, I just want to close by thanking the Solicitor, once again, for filing on behalf of our great City. And secondly, to remind Equitable Gas customers that we can work successfully in challenging this rate hike. We need participation that evening on Thursday, May 17th. Thank you.

Michelle Madoff:

Some time ago, I requested from this Council that we look into the resolution prior to this new Council for having some security available on this floor or in the building. It was decided by my colleagues to turn it over to the Safety Department and that they were to get back to us very shortly and give us some response. I have heard nothing. Has anyone else heard anything?

Just recently we've had some problems. Only this morning my staff arrived to find out that our door was open, the lights on, the door stop opening the door. Someone came up to deliver an envelope to me yesterday and was followed, claims that somebody had a weapon on them.

I believe that we have to address this issue and address it now before there's a reason to say, "Why didn't we do it?" after the fact. May I request that the President of Council check to find out why we haven't had an answer yet?

The Chair:

Mr. Perry, when was that letter sent?

Mr. Perry:

That was sent around two months ago. The Department of Public Safety did send an inspector up here to check out the locations in place up here but we didn't get a report on it yet. But he was up here.

Mr. Regan:

I met with them last week and we looked over it and we're going to put a full security system in there, with Council's approval, and a buzzer system on the door where you can't get back there unless the lady there buzzes you through. It will be glass, not all the way up but up a portion so that they'll be protected back there and nobody can get back there without being buzzed back by an electrical system. I just met with them last week and it will be very shortly until they have it all laid out for us. And, Councilwoman, I'll be glad to show it to you before we do anything.

Michelle Madoff:

Thank you. I accept that you'll do the right thing. I don't need to see it.

The Chair:

If I'm not mistaken, and I don't want to get into any lengthy discussion on this, but the original request from Council was to look at security in general in the building. As far as I'm concerned, that's what our request was and not - I mean, every area of the building is important and no area is more important than the other area, the way I look at it. And consequently, I am still looking for a report back from the appropriate departments telling us how we can enhance security in general in the building and not specifically the Fifth Floor.

Mr. Regan:

We've had a couple incidents recently and that's why we've been working on the Fifth Floor. If you give us any particular places that you'd like them to look at, I'll be glad to go with them and take a look at it.

Mr. Darkins:

Mr. Chairman, we don't want to belabor this subject but I think, as you said, as soon as we can get the report or letter back from Public Safety, then I think we can move with some further actions.

The Chair:

I agree.

Michelle Madoff:

Just a point of clarification. Mr. Perry, I would appreciate it if you would tell your staff persons that when somebody comes to see any member of Council, while they're not allowed back, they certainly can call our offices and see if we're here. I've had three instances where they have not called.

Mr. Perry:

What happens, Michelle, is that back door is left open and people come from the back into your office.

Michelle Madoff:

No, no, they didn't come to my office. They came to the desk to deliver something and I was there and I wanted to talk to them. I didn't know they were there. Just buzz the office.

Mr. Ferlo:

I'd like money for my district office as opposed to security. So, please remove one-ninth of that cost and give it to me.

The Chair:

Mr. Ferlo, you're out of order.

While we're talking about the building, I'd like to bring up a subject I know I've discussed with several Councilmembers. I'd like a letter to go from the City Clerk which is enhancing the looks of the building from the outside exterior approaching it. Cleaning up the steps, the walkway approaching the building. We have planters out front that should have flowers or plants in them that have nothing in them. I know Council allocated monies for those planters.

And twice this Council has requested that the American flag and the City flag and the County flag be flown in front of the building and, quite frankly, it's the last time I'm requesting it. I'll go out and put it up myself if the Administration doesn't do it.

Mr. Regan:

I'll help.

Mr. Darkins:

I'll join with you.

The Chair:

Thank you. But I would like a letter to go to the appropriate City departments to enhance the outside exterior. We've put millions of dollars into Grant Street and we need to enhance the looks of the building as you're walking into the building.

Mr. Ferlo:

Mr. Chairman, on this point because we've raised it many times, not only the American flag and the State flag issue. Since right now the holes that are supposed to have the flags are now collecting garbage from Grant Street, which have never been cleaned.

The outside of this building, the front and the back, especially the back, is filthy. It's disgusting, it's gross. It's got everything from spit to cigarette butts to pizza to anything imaginable on the ground.

I don't know why the building can't be steam cleaned at least a half story up to clean the entranceway. I've been addressing this issue with the Director of General Services for the last two years. Nothing is being done. Mr. President, I ask you, with full support of your comments, to please move on this. If need be, let's go out ourselves with some Lysol and clean this building up.

The Chair:

I agree.

Michelle Madoff:

Same subject. You know, I think that some of the comments that are being made here today should make us think and reflect on what has happened. Here we have Earth Day 20 years later. I was part of the first Earth Day 20 years ago.

I've been somewhat disenchanted and I've been reading the articles by our national columnists and they're disenchanted because what is happening is that we are getting out 20 years later and saying, let's go get the spit and the garbage off the streets, instead of passing laws that say if you drop cigarette butts out of your car and if you throw cigarettes on the street you're going to be arrested, and you're going to have to get down on your knees with Lysol and clean it up.

Until leadership starts to take a role in seeing that this is not acceptable behavior, nothing is going to change, whether it's on corporate cleaning up or whether dirt on the streets. The laws without enforcement are an exercise in futility.

And on the motion of Mr. Darkins

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, May 8, 1990

No. 19

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, May 8, 1990

PRESENT:

MR. COHEN	MR. MILLONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

We have a great honor here this morning to honor a young lady from Portugal who smiled for 26 miles as she ran. And you know, when you're a runner and you smile and wave to people, you really lose your train of thought. But she was so happy to be here and we were so happy to have her here. She waved and smiled for 26 miles and still won the race.

I would like this young lady to come up here. The other young lady came in fifth in the race. I'd like all you people to come up here. Mr. Kuzmanko, the head of the Pittsburgh Marathon. Mrs. Schmeiser.

I would like to read this resolution and I hope I don't offend anybody by my poor pronunciation, but I'll do the best I can. For the son of an Irish immigrant, these are a little bit tough to read.

Mr. Regan presents

No. 719 WHEREAS, Conceicao Ferreira is a 28 year old female elite athlete from Braga, Portugal. Conceicao is well known internationally for her accomplishments in marathon and cross country running; and

WHEREAS, Conceicao Ferreira placed third in 1989 in the Tokyo Marathon, and second place in the Paris Marathon. She has run cross

country in sporting events in Europe for the last nine years, and has won numerous awards; and

WHEREAS, Conceicao Ferreira was an invited runner in the Sixth Annual Pittsburgh Marthon. Conceicao ran her personal best of her career in this race, 2:30:34; and

WHEREAS, she was awarded \$26,385 for her first place victory in the women's division and won a \$2,000 bonus for leading at the midway point.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the Citizens of Pittsburgh, hereby recognize and salute Conceicao Ferreira for her first place win.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Tuesday, May 8, 1990 as "Conceicao Ferreira Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

We would like their interpreter, Jaclyn LeBarton, we would like the winner to come up here and say hello to the people of the City of Pittsburgh and Jaclyn will interpret.

Ms. Ferreira: (translation)

I am so happy. I was absolutely thrilled to be invited and cannot say enough about the hospitality that I have received from the City of Pittsburgh. I am very anxious to come back next year. Thank you so much.

Mr. Regan:

And now Manuela Machado.

Ms. LeBarton:

Manuela Machado came in fifth in the race. She ran her personal best, the fastest she has ever run in her career.

Ms. Machado: (translation)

This was the first time that I have ever been in Pittsburgh. I was very happy to be invited and I look forward to coming back next year. Thank you so much for your hospitality.

Mr. Regan:

I would like to commend Larry Kuzmanko for doing such a great job. I'd like him to say a few words and Mrs. Ethyl Schmieser who was involved in creating this great race for the City of Pittsburgh, and they will introduce this man who is internationally famous.

Mr. Aleksander Mineyko:

It is my pleasure to be here. It is my second time in Pittsburgh. Thank you very much, everybody, the organizers, everybody who waved their hands, everybody who smiled and the people who also prayed for us. Thank you.

Mr. Kuzmanko:

On behalf of the Marathon, we would just like to thank the people in the neighborhoods of Pittsburgh for making this event such a success because that's from where the enthusiasm and vigor emanates and that's the reason why we're able to have people here from 46 states and 27 countries this year. Thank you very much, Council.

Mr. Regan:

We're going to take a little hair off of Larry and put it on me and I'm going to run for a higher office.

Mrs. Schmeiser:

I don't know if Larry remembers the early days when we put this race together, but it fills me with enormous pride to see the Pittsburgh Marathon now one of the top marathons in the world.

I'm delighted to be here and I thank these lovely Portuguese girls for doing so well. Thank you.

Mr. Regan:

Now they want to present an autographed marathon poster to each of the Councilpeople.

We have one more little function before the ladies leave. Since the Mayor of the great City of Pittsburgh is out of town today, we have the distinct honor, Council as a group, to present the check to the winner. The check is in the hands of our illustrious President, Mr. Jack Wagner.

The Chair:

It's a great honor, Ms. Ferreira, on behalf of the City of Pittsburgh, the Mayor and all of City Council, and the Pittsburgh Marathon and all the sponsors of that Marathon, particularly USX Corporation, to present a minor item. We didn't want you to leave the country and forget this. It's a check for \$28,385.

Ms. Ferreira: (translation)

Thank you very much.

Mr. Regan:

I'd like Ms. Sanchez and all her people to come up here. Carol McCants, come up please.

It is indeed an honor to honor this great educator. I would like to read this resolution into the history of the City of Pittsburgh for a lady who has dedicated her life to teaching children and young people. We never pay enough tribute to the educators because they're the ones that make America the great country that it is.

Mr. Regan and Mr. Darkins present

No. 720 WHEREAS, from 1957 to 1986, Dolores Sanchez worked for the Pittsburgh Board of Public Education as a teacher and counselor and also provided counseling service to students with drug and alcohol problems to assist in their rehabilitation; and

WHEREAS, Dolores Sanchez was born, raised and educated in the City of Pittsburgh. She was educated at the Lincoln Elementary and Westinghouse High School and received her Masters of Education at the University of Pittsburgh in May, 1967; and

WHEREAS, Dolores Sanchez served as a member of the committee charged with the preparation of the Official Pittsburgh School Counselors Guidebook; and

WHEREAS, Dolores volunteers for UNICEF, NEED, World Vision and the local food banks, and is a member of the Pennsylvania Counselors Association, the Pittsburgh Counselors Association, the Pittsburgh Education Association, the Pittsburgh Federation of Teachers and is a member of the AARP.

NOW, THEREFORE, BE IT RE-

SOLVED, that the Council of the City of Pittsburgh hereby salutes Dolores Sanchez for her unconditional dedication and contribution as a teacher and counselor in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Wednesday, May 16, 1990 as "Dolores Sanchez Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Regan:

Ms. Sanchez, you can't believe what an honor it is to be able to read this resolution. My name wasn't big enough to put on there so they had to put another one on there, the Honorable Councilman Duane A. Darkins.

We want you to know that as citizens and residents of the City of Pittsburgh, we're very, very proud of you and I haven't seen a hat that nice down here in a long time.

Mr. Darkins:

And that isn't all, Ms. Sanchez. Because I attended Lincoln Elementary School and I'm a graduate from Westinghouse High School and look at your entire career, roses for you today.

Ms. Sanchez:

Mr. President, the Honorable Regan and the Honorable Councilman and Members and Lady. For the first time I think in my life I'm speechless. A teacher is usually never speechless but I am so honored and overwhelmed and I

will not cry because I get very ugly then, but this was unexpected. I'm so happy and I'm so happy that you chose to honor and educator because we don't ask for thank yous. When we look around and see our students, our ex-students, the young lady to my left I had in my first year of teaching, and Carol McCants. And for all the teachers and all of the educators I say thank you from the bottom of my heart. We don't expect it but I'm certainly enjoying it. Thank you.

Mr. Regan:

To honor an educator you need a driving force behind the people that are here to honor her. Carol McCants was one of her students and I'd like Carol to come up.

Ms. McCants:

Thank you, City Council and President of Council. I just did what I think more people should do, especially in the City of Pittsburgh or anywhere.

Mrs. Sanchez, I remembered her all my life. She was not only in the classroom but she was always in the hallway to make sure that we behaved not only in class properly but also in the hall.

She's always been in my heart, she always will be, and I thank you all for helping me to present and give Mrs. Sanchez the day that she deserves. Thank you very much.

Mr. Darkins:

I'd like to ask that Mr. Stagno and the President and the Secretary of the Cadillac LaSalle Club come forth.

You know, to follow Councilman Baldy Regan is a hard act to follow, but he is a great Councilman from the North Side. And, as he al-

ways says, it can only happen in America.

Mr. Darkins presents

No. 721 WHEREAS, the Pittsburgh Region Cadillac LaSalle Club was founded in May, 1983; and

WHEREAS, the Club's purpose is for the development, publication and exchange of information pertaining to recognized Cadillacs and LaSalle's and to encourage the maintenance, preservation and restoration of these classic cars and to promote social fellowship among club members; and

WHEREAS, the Club dedicates their service and vehicles to many Pittsburgh functions and has displayed their vehicles at Schenley Park's 100th Anniversary, the Pennsylvania Turnpike's 50th Anniversary and at various ethnic day celebrations throughout the area; and

WHEREAS, the Club participates in parades to publicize and promote crime prevention and non-drug usage; and

WHEREAS, members attend local and national auto shows donating registration fees to various charitable organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the Pittsburgh Region Cadillac LaSalle Club as an organization devoted to the preservation and commitment of keeping the Cadillac LaSalle car part of vehicular history.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins

I have Mr. Stagno and the President of this organization and the Secretary here today and I'm going to call on them for some remarks.

Mr. Stagno:

Thank you, Councilman Darkins, and thank your staff for the preparation of this resolution.

Council President Wagner and Members of the City Council of Pittsburgh, I think the resolution states clearly our purpose and goals that we hope to achieve. I think that this recognition today that we receive from you will encourage our members to continue to participate in the various meets and events that we do throughout the year.

Our program this year will begin on May 20th. We will have a show at the historic Tarentum Station Restaurant from noon to 4:00 p.m. and there will be no admission, it is open to the public. And on that day, at that time, we will display well over \$1 million worth of Cadillac LaSalle vehicles that have been restored. You are all invited to attend, whoever can attend.

I'd like to introduce our Club President, Mr. Lee Hevermann, and Secretary-Treasurer Mr. George Blissmann.

Mr. Hevermann:

I'd like to thank Council for making this day possible for us. We kind of work in preserving the old cars but it gets a lot more involved in that, the camaraderie and we just feel that we do some good for the City of Pittsburgh. As I resident of the City, I think it's a great place. Thank you very much.

Mr. Blissmann:

I'd like to take this opportunity to thank the City of Pittsburgh and Council for recognizing our club as such. What we're really dealing with here is preservation of history. I know the City has been involved in a lot of projects the last while back and preserving historical sights and so forth.

I'd like to take this opportunity on behalf of the Cadillac LaSalle Club to say to the City that if there's any way we can help in any of their activities regarding the preservation of the older automobiles, we're certainly willing to cooperate with them and work along with them, and help them in any way we can.

We'd love to see some of you people show up at our show on May 20th, and we take this opportunity to thank you from the bottom of our hearts for the recognition you have given to us today. Thank you very much.

Mr. Stagno:

In closing, we would like to present to the Members of Council a token of our appreciation.

Mr. Ferlo:

One of the Cadillacs?

Mr. Stagno:

Yes, it is. And I would love to see the media tomorrow when they learn that Council was presented with Cadillacs. But these are Cadillac Convertibles, 1950 Vintage, and we hope that you enjoy them and accept them with our --

Mr. Ferlo:

As long as they're not over \$200.

Mr. Stagno:

No, they're not over \$200. We made sure of that. Thank you again. Thank you for everything.

The Chair:

Thank you all.

Michelle Madoff:

May I please have Mr. Robert Pipkin, the Principal of Prospect Middle School come forward? I believe Dr. Stanley Denton is with him. Why don't you come forward with your students? Everybody join us. And I'm going to have Mr. Robert Pipkin introduce who is here as soon as we read the resolution.

This is a very, very special resolution. As you know, I don't introduce too many of them and when I do I think they're very, very special. This is the jewel of District 2.

Michelle Madoff presents

No. 722 WHEREAS, Prospect Middle School Center for Multiracial, Multiethnic, Multicultural education is located in the Mt. Washington neighborhood and serves students from the Allentown, Beltzhoover, Hill District, Mt. Washington, and South Side communities; and

WHEREAS, as one of its most ethnically diverse middle schools, The Pittsburgh School District has chosen Prospect Three M Center, for its model Multiracial, Multiethnic, and Multicultural middle school, the first of its kind in the Country; and

WHEREAS, the objectives of this program are:

- To provide students with an understanding and appreciation of various cultures, racial groups, and global interdependence;

- To enhance students' self-concept and appreciation for their heritage;

- To develop a systematic and comprehensive multiracial and multicultural curriculum;

- To develop instructional strategies which accommodate the various learning styles and behavioral patterns inherent in the student population;

- To build a model of effective collaboration between the school, home and community;

- To promote positive interactions between the various racial, cultural and ethnic groups at Prospect.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the creation of the model Multiracial, Multiethnic and Multicultural middle school and wishes the Pittsburgh School District success in the aim of the program: to infuse district-wide those strategies, curricula and training programs which foster mutual understanding and improved relations among the diverse groups within the Pittsburgh Public Schools.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. Ricciardi, part of your community is

involved as well.

Mr. Ricciardi:

Yes, I realize that, Councilwoman.

Michelle Madoff:

It is my great pleasure to introduce Mr. Robert Pipkin, the Principal. I have attended some of the meetings in the school and it really is a phenomenal project and I hope it will spread throughout the Country.

Mr. Pipkin:

Thank you, Michelle, President Wagner and Council. This is an honor for the Three M Center. Also, I'd like to thank Dr. Milliones who served on the School Board and supported this particular project.

Michelle talked about some things I don't think a lot of us realize. Our goal is to improve race relations, culture diversity, parental involvement. If we look at the year 2000, what the population is going to look like, people of color, Asian-Americans, African-Americans, Hispanic-Americans, and we have to develop a program that will hopefully meet the needs of all citizens. We're trying to do that at Prospect.

Before I go on, I'd like to introduce some of the individuals with me. Dr. Cynthia Peterson-Handley, Coordinator; Ms. Rosemary Breen; Mr. Jerry Lynch; Ms. Adrienne Butler; Ms. Darlene Brackett; Ms. Tomenika Howze who is a parent; Ms. Vivian Kowalski who is another parent. And some of our lovely students: Debbie Carter; Emmett Fears; Jada Grandy; Brian Iwanonkiw; Abigail Leacock; Warner Macklin; Zane Maddox; Valerie Marabito; Clarence Newsome; Ron White; Eric Wilson; Charles Wise; Kristy Zentkovich.

Thank you very much.

At this time, I would like to introduce Mrs. Brennen who has supported this program and is my boss, Mrs. Louise Brennan who is the Associate Superintendent for the Department of Middle Schools and Elementary.

Mrs. Brennen:

Thank you, Mr. Pipkin, President Jack Wagner, Councilwoman Michelle Madoff, Members of the City Council.

On behalf of the members of the Pittsburgh Board of Education, the Superintendent of Schools, I want to extend thanks and appreciation for this honor which you have bestowed upon the Prospect Center.

Let me tell you that the success of the program is due in great measure to the very hard work and the deep commitment of the principal and the staff and the parents and the community and the students enrolled at the Prospect Center.

The Prospect Center is a celebration of Pittsburgh because it represents the wide diversity of racial and ethnic groups in our great City who have made the contributions to make Pittsburgh someplace special. We hope as a school district to disseminate into all of our schools in the Pittsburgh School District much of what we are doing at the Prospect Center so that throughout the City our young people will understand and appreciate their own heritages and respect the cultures of all people, not just here in Pittsburgh but nationally and internationally. Thank you so much.

Mr. Pipkin:

I'd like to have a student, Mr. Charles Wise, say something about it.

Mr. Wise:

I would like to say that I'm in eighth grade now and I live in the Mt. Washington district and every night, Dr. Denton is probably tired of me going up to his office every night but sometimes I don't even get home until 4:30 or 5:00.

The one thing I would like to say is, even though I'm an eighth grader and I will be leaving this great school and this great program, I will always be fully devoted to this program, and I thank you for honoring me. Thank you.

The Chair:

That young man gave a heck of a speech.

Dr. Denton, on behalf of the Council of the City of Pittsburgh, we want to formally present this to you and thank you for all your hard work. Thank you.

The Chair presents

No. 723 WHEREAS, working women account for approximately 38.6 % of the labor force and will account for nearly 61% of all workers by 1990; and

WHEREAS, working women have been and are an integral and permanent part of our community's history; and

WHEREAS, the increasing number of women in the work force requires ongoing efforts by leaders of government, business and labor to develop long-range solutions to address child and dependent care needs, employment and wage discrimination, training and re-training needs, social security and pension inequities and others; and

WHEREAS, the City of Pittsburgh rec-

ognizes the important contributions working women make to their work places and communities; and

WHEREAS, it is necessary to increase public awareness to their contributions and the concerns they face.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the first week of May, 1990 to be "Working Women's Awareness Week" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council urges all citizens, employers and community leaders to recognize the contributions of its working women, through special events and activities during the week and encourages citizens, employers and communities to assist in developing programs in this City to better meet the changing needs and concerns of working women.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

That resolution will be presented during the week to the people that could not make it here today.

Mr. Cohen presented

No. 691 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$8,985.28 in payment of railroad flagging expenses incurred during the Reconstruction of the Larimer Avenue Bridge, payable from Code Account 4-13-05-0605-89, Index Code #593053.

Which was read and referred to the Committee on Finance.

Mr. Coyne presented

No. 692 Resolution providing authorization to enter into a contract or contracts or into an agreement or agreements, or to use existing agreements or contracts, by the City of Pittsburgh with the Pennsylvania Energy Office for a grant of \$203,563.00 in connection with the Pennsylvania Public Utility Commission Docket No. R-811470 Order Approving Fund Distribution to Refund Plan; providing for the execution of a Service Purchase contract; providing for required assurances; providing for the deposit of the funds into special trust fund designated "Duquesne Light Refund Trust Fund"; and upon approval thereof, for an agreement or agreements with a consultant or consultants for professional services and for entering into a contract or contracts, or for the use of existing contracts, for lighting services in conjunction therewith and providing for the payment thereof. The grant is for relamping at Phipps Conservatory and a study of demand optimization throughout the water pumping system.

Which was read and referred to the Committee on General Services.

Mr. Ferlo presented

No. 693 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", Article V, Chapter 987, "Signs" by creating "Neighborhood Business District Sign Regulations" and by designating the properties zoned "A1" Commercial/Residential Associated District in the East Carson Street area as a "Neighborhood Business Sign District." (COUNCIL DISTRICT #3)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 694 An Ordinance supplementing the Pittsburgh Code, Title I - Administrative, Article VII - Procedures - Chapter 161 - Contracts - by amending Section 161.05 and adding new sections entitled "Estimated Cost, Construction Contracts and Professional Services Contracts for Engineers and Architects" and "Capital Budget" and to provide procedures to ensure the confidentiality of that amount." ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 695 Resolution transferring \$65,000.00 from Code Account 1926 (192609), Non City Water to Code Account 1985 (198507), Equipment, Distribution Division. This transfer is needed to provide additional funding to allow us to purchase plumbing tools and equipment, in conjunction with our city wide large meter replacement program.

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 696 Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$1,000.00 in payment for professional consulting services rendered to Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Council District No. 6.

---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 697 Resolution providing for the issuance of a \$1781.26 warrant in favor of Frank Chambers Jr. and Elizabeth Chambers in settlement of claim for automobile damage by a City of Pittsburgh police vehicle on January 25, 1990 at 5217 Glenwood Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 698 Resolution providing for the issuance of a \$1901.35 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage to a leased vehicle on November 9, 1989 at Arlington Avenue, payable from Code Account No. 46, Judgments.

Also,

No. 699 Resolution providing for the issuance of a warrant in the amount of \$15,072.18 in favor of Lobel, Winthrop & Broker, Brinderson Plaza-Tower 1-Suite 1100, 19800 MacArthur Boulevard, P.O. Box 19588, Irvine, CA 92713 for legal services rendered to the City of Pittsburgh in conjunction with John Robert Torquato, Jr., Debtor; City of Pittsburgh, Movant v. John Robert Torquato, Jr., Respondent, filed in the United States Bankruptcy Court for the Central District of California at No. SA89-05008 Jr., chargeable to

and payable from Code Account No. 1073, Misc. Services, Dept. of Law.

Also,

No. 700 Resolution amending and supplementing Resolution No. 1059 of 1989, effective January 1, 1990 as amended by Resolution No. 200 of 1990 entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1990 by making certain additions and corrections. The changes reflect the expected changes in expenditures for the City due to the recent Police Arbitration Award.

Also,

No. 701 Resolution amending and supplementing Resolution No. 1060 of 1989, effective January 1, 1990 as amended by Resolution No. 201 of 1990 entitled: Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation levels thereof and setting minimum levels for designated positions by making certain additions and corrections. The changes reflect the expected changes in expenditures for the City due to the recent Police Arbitration Award.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 702 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Special Events Cost Recovery Trust Fund (SECRF), for the deposit of monies from special events, and authorizing the use of monies deposited therein by the Department of Public Safety to cover

premium pay for Police Personnel only.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 703 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of May, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, District No. 3, City Council. ---**(SPONSORED BY MR. RICCIARDI)**

Also,

No. 704 Resolution authorizing the issuance of a warrant in favor of Sea World, Inc., in the amount of \$550.00 in payment for the purchase of Birds for the Pittsburgh Zoo, chargeable to and payable from Code Account FNZ, Friends of the New Zoo Trust Fund, Department of Parks and Recreation. This purchase is authorized by Ordinance 8, effective May 5, 1986.

Also,

No. 705 Resolution authorizing the issuance of a warrant in favor of the Greenville Zoo, in the amount of \$837.00 in payment for the purchase of a Lion for the Pittsburgh Zoo, chargeable to and payable from Code Account FNZ, Friends of the New Zoo Trust Fund, Department of Parks and Recreation. This purchase is authorized by Ordinance 8, effective May 5, 1986.

Also,

No. 706 Resolution authorizing the issuance of a warrant in favor of the Pittsburgh Hilton Hotel, in the amount of \$11,889.05 in payment for the 1990 Citiparks Senior Center Program Volunteer Gala, chargeable to and payable from Code Account SCPTF, Senior Citizens Program Trust Fund, Department of Parks and Recreation. (PRIOR APPROVAL GRANTED)

Also,

No. 707 Resolution authorizing the issuance of a warrant in favor of Noyes Marine Life, in the amount of \$844.50 in payment for the purchase of Live Coral for the Pittsburgh Zoo, chargeable to and payable from Code Account FNZ, Friends of the New Zoo Trust Fund, Department of Parks and Recreation. This purchase is authorized by Ordinance 8, effective May 5, 1986.

Also,

No. 708 Resolution transferring the aggregate amount of \$700,000.00 from various code accounts to Code Account SPP (254359) Special Parks Program the amount of \$75,000.00 and to Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$625,000.00, Department of Parks and Recreation. This transfer is necessary for the operation of the Summer Food Service Program and upon reimbursement from the Pennsylvania Department of Education shall be returned by the City Controller to the original accounts.

Also,

No. 709 Resolution authorizing the transfer of funds as invoices are submitted for the purchase of asphalt at a cost not to exceed \$100,000.00, payable from Code Account

PR15, 3-10-10-0002-90, Index Code 810150, Asphalt Repairs, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund.

Which were severally read and referred to the Committee on Finance.

Also,

No. 710 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation, at a cost not to exceed \$550,000.00, chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation.

Also,

No. 711 Resolution providing for an Agreement or Agreements with a consultant for the purpose of providing for the design of a visitor evaluation tool and training to use the tool for the Pittsburgh Aviary, at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account ATF (250209) Aviary Trust Fund in the Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 712 Communication from Tom Flaherty, City Controller, submitting a performance audit of the Pittsburgh Parking Authority for February, 1990.

Also,

No. 713 Communication from Tom Flaherty, City Controller, submitting a Special Report on the construction work of the Public Parking Authority of Pittsburgh for the years 1985-1989.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 714

Report of the Committee on Finance for May 2, 1990 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 361

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One, 'Administrative', Article VII, 'Procedures', Chapter 161, 'Contracts'." (AS AMENDED IN COMMITTEE)

---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Milliones:

I would like my comments brought forward on Bill 361. I still have a problem as to why some affirmative action enforcement could not have been placed in this bill. It seems to me that our record in terms of the enforcement of affirmative action policies that are already on the book is, as I understand, 15 percent minority and 2 percent women. Certainly that record is a dismal one and I will not vote for this bill because

of the lack of any enforcement of affirmative action in that regard.

(BEGINNING - MR. MILLIONES' REMARKS ON BILL NO. 361 - WEDNESDAY, 5/2/90)

Mr. Milliones:

My feelings, I still have several really grave concerns about this bill that I don't think the Solicitor can answer; someone, I think, more from the political implications of this bill from the Administration.

I have two concerns. One is, I think it will arbitrarily drive up the cost of construction in this City at a time when we are trying to generate revenues, at a time to keep costs down; in fact, this will drive costs up.

Secondly, I really think the question of monitoring really can be a burdensome task: Who is going to monitor contractors on-site? And I see somewhat of a nightmare, another bureaucracy, perhaps, being created in an attempt to do this.

Thirdly, as I have indicated, that the building trades have traditionally not hired blacks and women, they are still lacking in that regard, and I think this bill would effectively serve, one, to shut out small contractors, minority contractors, and I obviously would have some concerns about that.

So for those reasons, I have questions apart from the legality of the bill that I would certainly like answered.

(END OF REMARKS)

Michelle Madoff:

I believe that my colleague has sched-

uled a hearing later this month on this subject and I would hope that my colleague, Mr. Ferlo, would consider amending this bill after it passes to include the minority stipulation. I think we need to strengthen that bill and amend this bill later to include it but we should not hold up on one good bill waiting for another good bill.

Mr. Millions:

I have not scheduled it.

Michelle Madoff:

I'm just making a point. That's where I'm coming from.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 643

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two - Fiscal, Article I - Administration, Chapter 213 - Investment and Divestment, and Article III - Depositories, Chapter 221 - Contracts, by removing prohibitions on investing in Namibia or conducting business with entities that invest in or engage in business with Namibia."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 644

A Resolution entitled, "Resolution providing for the issuance of a \$1670.00 warrant in favor of Wilbert Monroe in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 645

A Resolution entitled, "Resolution amending Resolution No. 308, approved March 26, 1990, effective March 30, 1990, entitled, 'Providing for the acquisition from Rose Marie Balestrieri certain property located in the 8th Ward, City of Pittsburgh and providing for the cost of the payment thereof.'"

Which was read.

Also,

Bill No. 646

A Resolution entitled, "Resolution providing for an Agreement with the Commonwealth of Penn-

sylvania, Department of Transportation, their heirs, executors, administrators and assigns, which grants an easement to construct a protective barrier on and through property owned by the City of Pittsburgh upon certain terms and conditions."

Which was read.

Also,

Bill No. 647

A Resolution entitled, "Resolution amending Resolution 853 of 1989 entitled: 'Providing for an Agreement or Agreements with a Consultant or Consultants for the affixing of Inventory Tags and the Inventory of Capital Equipment owned by the City of Pittsburgh, and to enter this inventory information into the City of Pittsburgh's Computerized Asset System at a cost not to exceed Eighty Five Thousand Dollars (\$85,000.00) chargeable to and payable from Code Account 1063-106302, Miscellaneous Services, Department of Finance,' by increasing the total allocation by \$45,000.00."

Which was read.

Also,

Bill No. 648

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Church of the Good Shepherd and the Shepherd Wellness Community, a non-profit organization, to provide bi-weekly dinners and other services for City residents."

Which was read.

Also,

Bill No. 649

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 671

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of CSX Transportation, in the amount of Two Thousand Four Hundred Eighty Four Dollars and Seventy Nine Cents (\$2,484.79), in payment for Railroad Flag Protection during the clean up of a major mud slide on Schenley Hill, during the months of March and April, 1989."

Which was read.

Mr. Cohen:

I abstain on Bill 671 to avoid a conflict of interest.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 675

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Matrix Communications Associates, 7139 Meade Street, Pittsburgh, PA 15208, in the amount of \$385.00, in payment for professional consulting services rendered to Michelle Madoff." (SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 677

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sister Cities International, 120 South Payne, St., Alexandria, VA 22314, in the amount of \$600.00 in payment for membership dues for 1990, chargeable to and payable from Code Account 1017, (101709) Miscellaneous Services, Office of the Mayor." -
--(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 715

Report of the Committee on Public Works for May 2, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 639

A Resolution entitled, "Resolution vacating Sullivan Street between Luzerine Street and Unnamed Way in the 10th Ward, Council District 7 of the City of Pittsburgh."

Which was read.

Also,

Bill No. 672

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete slab replacements at various locations within the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 716

Report of the Committee on Planning, Housing and Development for May 2, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 641

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Friendship Development Associates in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance in the amount of \$30,000 to Friendship Development Associates for site work for residential units to be constructed in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

"The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 717

Report of the Committee on General Services for May 2, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 638

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article V - Discrimination, Chapter 651 - Findings and Policy and Chapter 657 - City Contracts, by removing prohibitions on investing in Namibia or conducting business with entities that invest in or engage in business with Namibia."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 718

Report of the Committee on Public Safety for May 2, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 650

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Instructors for the Training Academy and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 724 Communication from Mayor Sophie Masloff informing Council of the appointment of Dr. Herman Reid, Director of Need, 643 Liberty Avenue, Pittsburgh, PA 15222, to the Housing Authority of the City of Pittsburgh, for a term effective immediately and to expire October, 1995

Also,

No. 725 Communication from Mayor Sophie Masloff informing Council of the appointment of Councilman Jake Milliones, 3510 Iowa Street, Pittsburgh, PA 15219, to the Urban Redevelopment Authority Board of the City of Pittsburgh for a term effective immediately and to expire December, 1994.

Mr. Darkins moved to receive and file these appointments.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 726 Resolution appointing Eugene Ricciardi, 2432 South 18th Street, Pittsburgh, PA 15203, to the Pittsburgh Water and Sewer Authority for a term effective immediately and to expire January, 1994.

Also,

No. 727 Resolution appointing Deborah Miskovich, 1322 N. Highland Avenue, Pittsburgh, PA 15206, as a City Magistrate for a term effective immediately and to expire January, 1991.

Also,

No. 728 Resolution appointing John A. Zottola, 6129 Jackson Street, Pittsburgh, PA 15206, to the City Planning Commission for a term effective immediately and to expire January, 1994. John Zottola will replace Deborah Miskovich.

Also,

No. 729 Resolution appointing John A. Zottola, 6129 Jackson Street, Pittsburgh, PA 15206, to the Board of Adjustment for a term effective immediately and to expire January, 1991. John A. Zottola will replace Deborah Miskovich.

Also,

No. 730 Resolution appointing Linda

Brown, 223 Schenley Manor Drive, Pittsburgh, PA 15201, to the Board of Water Assessors of the City of Pittsburgh. Linda Brown will replace Robert Ravenstahl.

Also,

No. 731 Resolution appointing Barbara Danko, 1140 Lancaster Avenue, Pittsburgh, PA 15218, to the Board of Water Assessors of the City of Pittsburgh. Barbara Danko will replace Carolyn Marks.

Also,

No. 732 Resolution appointing Laverne Wheeler, 4355 Andover Terrace, Pittsburgh, PA 15213, to the Minority and Women Business Enterprise Review Committee for a term effective immediately and to expire April, 1992.

Also,

No. 733 Resolution appointing Rich Bellasario, 1232 Wareman Avenue, Pittsburgh, PA 15226, to the Minority and Women Business Enterprise Review Committee for a term effective immediately and to expire April, 1992.

The Chair:

If it is the wish of Council, all of those appointments need formal Councilmatic approval, I would recommend that we vote on Mr. Ricciardi today for the Water and Sewer Authority and try to get as many of those people in tomorrow and whichever ones we can't get in tomorrow, have them in next week.

Michelle Madoff:

Question. The first two that were read, were they not subject to approval by Council?

The Chair:

Correct.

Michelle Madoff:

Why did we vote? Just to accept?

The Chair:

Simply to receive and file and to make part of the Record.

Michelle Madoff:

Okay. And these will be subject to Council's approval?

The Chair:

Yes.

Michelle Madoff:

Did we not suggest through this Council that all persons being appointed during any Administration would sign a waiver that should the Mayor, whoever is in office at that time, have the right to remove them, they would be willing to do so? That way we won't run into what we've been running into in the past year or so. I would like to make that contingent on our voting, that we ask the Mayor to prepare a statement for everybody that will be sworn in. I will ask them at the table, it will be on record, that should the Mayor wish to have them removed from office, they would do so willingly.

The Chair:

We cannot mandate that.

Michelle Madoff:

I understand that but people could sign

that willingly as a waiver.

The Chair:

That would have to be something that the Administration would initiate.

Michelle Madoff:

Is it not true that I could ask anybody who is being interviewed by us for our vote, my vote would be contingent on that, would they be willing? And if they say no, I'm not going to vote for them and I hope nobody else on Council would.

The Chair:

That's fine. They will be in front of Council.

I would like a motion to approve Mr. Ricciardi to the Water and Sewer Authority.

Mr. Darkins:

So moved.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, Members of Council and Mr. President.

The Chair:

Mr. Perry, if we could please see if we could get as many of those people here tomorrow for our Wednesday meeting. As many as possible.

Mr. Ferlo:

Mr. President, in scheduling these individuals, I have a lot of questions for Ms. Miskovich and Mr. Zottola, so please be conscious of whatever the agenda will allow.

The Chair:

Okay.

Mr. Milliones:

Mr. President, I would respectfully ask that Council join me in supporting or recommending to the Senate of the great State of Pennsylvania, that they indeed confirm Mr. Joseph Rhodes as a reappointment to the Public Utilities Commission. As I understand the reports that have appeared in recent publications, although one surely cannot believe everything one reads in the papers, but it would appear that there is a great deal of sentiment arising against his reappointment. I certainly feel that he has done a very commendable job in being probably the most pro-consumer member of that board and I would certainly urge that the Senate reappoint Mr. Rhodes.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Okay, the letter will be sent to the Pennsylvania Senate recommending the appointment.

Mr. Cohen:

Mr. President and Members of Council, there have been a series of crimes, burglaries and muggings in the North Oakland area, especially along Centre Avenue. I think crime ap-

pears to be rising everywhere in the City and it's very frustrating, very disturbing, but because of this recent rash of crimes in the North Oakland area, especially Centre Avenue, I have called for a post agenda meeting on Wednesday, May 23, at 1:00 and invite anybody who wishes to come. The people I've especially invited are the Chief of Police, Chief Pampena, and Commander Horace McDaniel of Zone 6, along with the community leaders of the North Oakland area and the residents who have been victimized. I think it will be a productive session and I invite everybody to attend.

The Chair:

Thank you.

Mr. Ferlo:

Several very brief points. Just a reminder to my colleagues that the Public Utility Commission will be conducting a formal public hearing here, using our Chambers, on May 17 at 6:30 in the evening. This is on the Equitable Gas increase request of close to \$30 million.

I'm hoping that the Mayor will participate and I'd like to extend an invitation to each one of my colleagues to possibly appear, very briefly, to speak to the Commission about the impact of the rate increase.

Secondly, Mr. President, it's been some time since Council has been briefed on any progress to date on the whole recycling issue and the implementation of Act 101. Without getting into a long debate at this point about my feelings on the recycling issue, I would only ask that we communicate to the Administration and maybe through you, Mr. President, that we can be briefed on what is the progress to date on the recycling and our obligations under the State mandate which is to take effect in September which, at this point, no way is that going to happen.

Thirdly, Mr. President, there was a very tiny little article a couple weeks ago in the paper regarding progress on the Department of Public Safety Building. There was an imprint that said that the Mayor had already selected and hired an architect for this building. Needless to say, I was a little bit shocked. I was not aware that the Administration was going to engage an architect without any kind of competitive or some type of bid specifications going out.

I also have major concerns and questions about the architect they've chosen in regards to the firm's capabilities in this area.

I would only ask that the Administration communicate to Council some justification regarding an update on the Public Safety Building, how and by what authority they've already contracted with an architectural firm, and by what standards or bid specifications did that architectural meet regarding whatever the agenda is of the Administration on the Public Safety Building.

The Chair:

On the second item, Mr. Perry, I would ask that we communicate a letter to Mary Beth Salley-Rizzuto, and a copy to the Mayor's Office, asking for an update. I believe they are late in terms of getting us an update or a report on the recycling issue.

And another letter in regards to the Public Safety Building issue.

Mr. Ferlo:

The other thing, Mr. Chairman, on the Public Safety Building. When we met privately with the Mayor, we received a general synopsis. At that time, I asked for a copy of whatever formal agreement was signed between the Mayor

and the County. We have not received that agreement to date and I would like to review that regarding what our obligations are.

Secondly, I hope we're not going to get led down the primrose path. In the past, the history of the Public Safety Department has gotten involved in expenditures only to change their mind later. Council has not actually ever really formally voted, or even decided, necessarily, that that particular site is the best site. We should be involved right from the beginning on whatever decision is going to be made, including this architectural business. I think we need to be closely involved in this process and so far I don't feel that we have been involved.

The Chair:

We need a status report, that's for sure.

Michelle Madoff:

On another matter. I know that a number of Councilmembers have met with the gentleman, brilliant gentleman, who is spearheading the promotional development because of the airport, Mr. Stanley Marshall. It was very disturbing to me in my meeting with him to learn that all the communities surrounding the airport are all gearing up with plans to try to obtain buildings, employment, and what we're going to see if we don't have a plan for the City--

The point he made was that the City has no firm plan at this point. If we don't get one into motion very quickly, what we're liable to end up with is Pittsburgh as a hub with a lot of satellites and our vacant properties may stay just the way they are. We will not attract a great deal of people back to this area if we don't come up with a plan that is competitive with the communities surrounding the airport who are looking, as I said, to develop job opportunities, etc., because of their proximity to the airport.

The most key issue of that program that we have to develop is not that we have a lot of land in the City to attract people to build, but we have all these vacant buildings, office space, number one. But we need to develop some mass transit form, not wait for Maglev which is very important which I support 1000 percent, but have something on the proprietary right-of-way, a dedicated line. There are a number of railroads that are now giving up their lines in addition to the Buncher right-of-way. We need more than one; we need two or three, and we need them now.

It would seem to me that we ought to be meeting in some kind of a hearing or some kind of post agenda meeting with the Administration immediately because the time to get money from the State, and I believe that's the stumbling block, the bottleneck, is going to be between the primary and the general election, not wait until after the election to ask Governor Casey to come up with the kind of dollars that we need to make this happen right now. We need to get him enthusiastic enough before the election to make that a campaign issue that he will commit the dollars that we need to save Pittsburgh to be competitive with the communities around the airport.

I would like to ask the President to immediately schedule a post agenda meeting with the Administration, all parties, SPRPC. I don't know whether it would be appropriate to have Jay Aldridge from Penn Southwest because, of course, their rules say they just bring business to Western Pennsylvania. They are not allowed to channel it to one particular community.

But if we don't start worrying about Pittsburgh, who is? I think we need to have the Golden Triangle, the Chamber of Commerce, BOMA, and have a real working session as quickly as possible to see what we can do to

come up with a program to be competitive with the other communities that already have their ducks in a row. I want to do that very quickly.

I know you've met with Mr. Marshall. I know Dan Cohen, and I heard Mr. Ferlo did. And I'm sure that all the other members -- Well, we need to do something about that now or we will not have employment opportunities tied to the airport.

The Chair:

Councilwoman Madoff, there are a series of meetings going on and this Council requested formally that myself and Mr. Mistick be on the advisory board, and the first meeting is this week.

Michelle Madoff:

I understand that. That is part of the development of the airport. But I'm talking about a competitive plan design just for Pittsburgh. While your being on, and Joe, and I was one of the people who recommended that, Joe Mistick being on that board, it's going to give us some insight into what we need to do. We just can't wait.

We better come up with some kind of pressure and plan, making sure that the State meets its commitment to the people of this City. We can't wait. There's an election coming up this week, the general election is in November. This is the time to strike while the iron is hot. We want the Governor to make a commitment, and that's the bottleneck now, to making sure that we can have these transit opportunities that lead to the airport.

Will you schedule that?

The Chair:

Are you requesting a post agenda?

Michelle Madoff:

That is correct.

The Chair:

Okay. Councilwoman Madoff is requesting a post agenda.

Michelle Madoff:

Either a post or a hearing. What would you prefer?

The Chair:

It's your request.

Michelle Madoff:

Why don't we do it as a first working session with the people that I've mentioned; BOMA, Chambers, Golden Triangle. See if we can get Jacques Kahn to help coordinate this. I'd like to get Carol Brown from the Cultural because these are the amenities that we offer everybody and what kind of plan are we going to put together to urge the Governor? If he wants my vote, he better give us some money for that plan.

Mr. Ferlo:

This is a very important point that Michelle has raised. If a meeting is to take place, I would hope that the Port Authority -- We should be requesting now the Port Authority to develop a plan in relation to transportation. I've raised this issue at the Housing Authority Board, the idea being that we begin to develop some type of transportation linkage between some of the public housing communities and potential jobs that may be available, hopefully, in and around the airport development.

I think, though, really, the public agency that we should hold accountable is the Port Authority Transit. And, Mr. Wagner, I'm sure you've raised this issue in the past. I think we should ask them for a specific plan. You know, a year from now, are we going to have public transportation that goes from Wylie Avenue or the East Liberty Mall or South Side, Carson Street, and the other neighborhoods, North Side, out to the airport? Something that's reasonable and something that runs throughout the evening that would permit people, especially given some of the income levels of some of the jobs that are available out there. I think if we're going to do anything, let's hold the Port Authority accountable for developing this plan.

Something that I've always resented is, it's the inner-city buslines that support the Port Authority Transit. They would not have a bus system without the 61s and the 70s and all the inner-city buses. It's about time we got something back in return.

The Chair:

I've met with the Port Authority and I will introduce a resolution requesting that they make that their number one priority item.

Michelle Madoff:

PennDOT should be invited. I would like to have Mr. Yerusalem, Henry Nutbrown, the local representative, and all the key people at SPRPC.

Mr. Cohen:

On the same issue, Mr. President, not to belabor the point at all, and I'm very happy that you and Joe Mistick were appointed to the Airport Commission, but I think that it's a concern that we're not going to have any public trans-

portation that coincides with the opening of the airport. Maglev is a great idea but it's just not going to happen quickly enough.

In my meeting with Stanley Marshall, I discovered that the Airport Commission has six sub-committees that are very active. You know what they are, marketing sub-committee, transportation sub-committee, and we do not have any City-designated representatives on most of those sub-committees, as is my understanding. I think one of the issues that should be brought up at that time is to put City representatives on those because, otherwise, Pittsburgh is going to be left in the dust.

I just wanted to follow up real briefly on Councilman Ferlo's point on this election of an architect for the Public Safety Building.

One thing that the City of Chicago recently did was they had what they called a designed build competition, and this was for the Harold Washington Library Center where they invited architects to participate and not just present eye in the sky architectural plans, but to coordinate with a construction company and actually submit plans and cost estimates together for the architecture of, in that case, the Harold Washington Library Center.

It seems to me, and I just want to agree with Councilman Ferlo, that we need to have a process by which we choose an architect for these important buildings, like the jail and the like the Public Safety Building. I don't know the architect that was selected for the jail or the architect that appears to be in the process of being selected for the Public Safety Building. I don't know how good they are or not, but that's not the point. The point is that there should be a process by which we select it and I think a design build competition like they had in Chicago would be the way to go.

The Chair:

Mr. Perry, you could make that in the form of a recommendation in the letter where we are requesting information, that they give us the status of how they're selecting the architect.

On the airport issue, just to summarize, I want everyone to know that there are many City residents on all those committees. As a matter of fact, the people chairing, Mr. Marshall and Mr. Joyce, are both City residents. The one is a former Executive Director of the URA. So, we do have City representation on the Airport Committee. We don't have formal Administration people on certain committees, that's correct. But there are a lot of City people involved on those various committees.

Mr. Cohen:

Mr. President, I'm glad to hear that; that's good. My only concern is that there isn't really, and correct me if I'm wrong, a designated representative to really look out for just the interests of Pittsburgh. Mr. Marshall is doing a great job but he's really looking out for the marketing of the whole airport expansion.

I think what we need, on many of those committees at least, is designated representatives who are looking out for the interests of the City of Pittsburgh.

Mr. Darkins:

Mr. President, I think what has to be done, and we can appreciate these City residents, but I think they should be looking towards Council because when it's all over, we're the ones that have to approve. And I think that some of our colleagues, as it has been already, that you and Mr. Mistick are serving in advisory capacity, that the Administration should take a serious look here on City Council and some of our col-

leagues from Council should be involved with that because the bottom line is, again, we're the ones that have to approve it. I am concerned, but what I'm trying to point out is, it's nice to have City residents, I know Steven George, I know Mr. Marshall, but my concern is that I think that they should include some of these other people from Council on some of these planning commissions or whatever it might be. That's my concern.

The Chair:

Anyone requesting to serve on a committee, please let me know.

Mr. Darkins:

I'm available.

The Chair:

And we will forward your names to the appropriate people.

Mr. Darkins:

I'm available.

Mr. Cohen:

I recommend Councilman Darkins.

Michelle Madoff:

Same issue. I think that something is getting lost here and it's so important that I just don't think I can let it pass.

Mr. Marshall told me personally that while he is a resident of the City and he would love to see something happen City-wide, his concern is that his job, as it was stated by Mr. Cohen, is not to promote Pittsburgh in this issue. His job, and it's a volunteer one, is to promote

the airport, which means a whole community. And his concern is, and this is from the horse's mouth, his concern is that we don't have a plan. Other communities have a plan in place. We don't have one. And I think that the Administration needs to immediately go back to the concept, Jack, that you and I put money in the budget last year and the year before you came up with the need to promote the City.

It's all the same ball of wax. We have to be very chauvinistic. We're going to be competing with the communities around the airport, other towns, townships, boroughs, and we better immediately get a plan in place that encompasses bringing people into the City to live, to take some of our vacant space of which it is plentiful, and our office buildings. And again, I repeat, the involvement of people like BOMA, Golden Triangle, the Cultural Facility, and let's have that meeting yesterday. And let's start coming up with a committee that will create a plan. Of course, the Administration should be invited. They should be the first to speak to tell us what they want to do and what they have perhaps in the works already.

So again, as Mr. Darkins said, share it with Council. We have to vote and we should know if there's something in the works already and enhance what is happening if not create a commission.

Mr. Regan:

I was at a seminar last year at Allegheny Community College and they already had put in place transportation between some of the big malls out near the airport and residents of the City of Pittsburgh. I think that we should inquire a little bit more on how far they've come with that because I think that's a very, very serious situation to have jobs available and City residents not being able to get to the jobs.

So, I would be glad to work with my honorable colleague, Mr. Ferlo, in pursuing that matter to see what has been done and what can be done, since he's a lot more knowledgeable than I am.

The Chair:

We will set up a post agenda. I will ask Mr. Perry to screen every Councilmember as to what date and time is convenient prior to setting it up because we're going to ask a whole lot of people to be here that day and I think we all should be here for that meeting.

Mr. Ferlo:

Will we focus in on this transportation issue?

The Chair:

Well, we'll focus on that next week with a resolution.

Michelle Madoff:

Jack, do you recall an invitation that you and I had from Michael Zamigas who has a shopping center to attend a training seminar, I believe it's in Butler, where they take people

from the community and train them in job opportunities? We were to be invited to that and I think we need to follow through and have all of Council go to one of those sessions.

The Chair:

Fine.

Mr. Milllones moved to approve the Minutes of Tuesday, April 24, 1990 and Tuesday, May 1, 1990.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milllones:

Mr. President, I move that we change next Tuesday's regular meeting to Monday, May 14, 1990 at 2:00 p.m. and Wednesday's meeting from 10:00 a.m. to 2:00 p.m.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milllones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Monday, May 14, 1990

No. 20

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Monday, May 14, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

ABSENT:

MR. DARKINS	MR. REGAN
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The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo for Mr. Darkins presents

No. 777 WHEREAS, the Frogs came into existence May 5, 1910 and is the oldest Black club in Pittsburgh; and

WHEREAS, on May 11th the Frogs will celebrate their 80th Anniversary, hosting a symposium at Peabody High School; and

WHEREAS, David Satcher, M.D., Ph.D., President of the MeHarry Medical College in Nashville, Tennessee, the largest private, comprehensive institution for educating Black health professionals in the United States, is the honored guest speaker; and

WHEREAS, Dr. Satcher has been President of this prestigious institution since 1982, directing the Meharry's School of Medicine, Dentistry, Allied Health Professions and Graduate Studies to national acclaim and fulfilling its commitment to provide the opportunity for low income and high risk students to pursue a career in medicine and training them to serve the poor; and

WHEREAS, Dr. Satcher is Board Certified by the American Board of Family Practice; and

WHEREAS, Dr. Satcher has been the principal investigator for many projects sponsored by the Department of Health and Human

Services and the National Science Foundation, and has also directed many research projects; and

WHEREAS, Dr. Satcher holds membership in numerous professional associations including the American Academy of Family Physicians and the American Association for the Advancement of Science, and Dr. Satcher is President of the Association of Minority Health Professions Schools and is on the Board of Trustees for the Carnegie Foundation for the Advancement of Teaching, and Dr. Satcher received an honorary Doctor of Medical Science degree from the Medical College of Pennsylvania and he received his M.D. Ph.D. degree in cytogenetics from Case Western University and graduated Magna Cum Laude from Morehouse College.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is honored to have the distinguished Dr. David Satcher in the City of Pittsburgh and extends to him best wishes in his Presidency at McHarry Medical College, and continued success in all his endeavors.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presents

No. 778 WHEREAS, Head Start is celebrating its twenty-fifth year as a federally funded comprehensive developmental program for low income pre-school aged children 3-5 in the City of Pittsburgh and Allegheny County; and

WHEREAS, Head Start achieves its goals through programs that address children's

emotional, social, intellectual, health, nutritional and psychological needs in addition to encouraging parents to be actively involved in their children's vital formative years; and

WHEREAS, Head Start participants adapt to and meet the challenges of their educational and other environments more readily than their counterparts; and

WHEREAS, in the Pittsburgh area, over 2,200 children are annually served by Head Start; and

WHEREAS, over 40,000 children have been served since 1965.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the outstanding role that Head Start plays in developing and preparing children to meet the challenges of the future and overcoming the obstacles that may prevent success; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends and recognizes the educators of Head Start because it is not the programs that make Head Start successful, but the people who diligently carry out its mission to prepare children which makes it successful.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to ask Mr. David Oster, Co-Chair of the South Side Traffic Study Committee, to please come forward.

Mr. Ricciardi presents

No. 779 WHEREAS, the South Side Planning Forum has commissioned the Traffic Safety Committee to set forth and implement a pedestrian traffic safety program for all citizens of the South Side; and

WHEREAS, the volunteers of the South Side Traffic Safety Committee have created an educational program to be disseminated to all South Side residents, senior citizens and children; and

WHEREAS, the educational programs will be given during the week of May 12 to May 19 by the volunteers of the South Side.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares the week of May 12 through May 19, 1990 as "South Side Pedestrian Safety Week".

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

As everyone knows, South Side has become a very attractive and popular place to visit and we welcome our residents from the other neighborhoods and also from the suburbs. However, with this attractiveness comes sort of a negative impact, and that's in terms of vehicle traffic. As a matter of fact, on the weekends the population of South Side doubles.

So, because of that, and because of our concern for our older adults and pre-school children, we formed this Traffic Safety Committee, one in which David Oster has done a fabulous

job. I'd like David to talk about that for a few minutes.

Mr. Oster:

First of all, I would like to thank Councilman Gene Ricciardi for presenting this proclamation of the South Side Pedestrian Traffic Week, the week of May 12-19.

The Traffic Safety Week stems from the Traffic Safety Committee which is an ad hoc committee of the South Side Planning Forum. This is our second project that we've worked on, the first being a traffic safety study for East Carson Street.

Let me tell you about this project. Basically, early in our studies concerning pedestrian traffic safety on East Carson Street, we found out that one of the main problems is traffic education for senior citizens and for children, as well as the general populous. So, initially, the primary target of the Committee was to write this Traffic Safety Report which dealt with traffic lights and crossing signals.

But we also continued our mission to help educate the seniors and the children of the South Side, including the general population, as to how to properly cross the streets and just generally to take good traffic pedestrian safety measures. And that's what this week is all about.

We hope during this week to personally contact 2,000 to 3,000 senior citizens as well as children in the South Side area, distribute to them various packets and presenting to them games that they can play which will help them learn good traffic pedestrian safety procedures.

For that, I'd like to again thank Councilman Gene Ricciardi for assisting not only with this proclamation but also assisting in the process of the South Side Planning Forum and the

South Side Traffic Safety Committee. Thank you.

Mr. Ricciardi presents

No. 780 WHEREAS, during National Volunteer Week we would like to take this opportunity to thank the many volunteers for their dedication and service to the community; and

WHEREAS, the volunteers in the community are the people who keep all the service organizations running smoothly; and

WHEREAS, the volunteers who dedicate countless hours of their time are deeply appreciated by one and all.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes all the many volunteers for their selfless service to the community.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi presents

No. 781 WHEREAS, The Brashear Association has provided vital human services to South Pittsburgh communities since 1917; and

WHEREAS, the Association has always depended upon the dedication, commitment, and services of countless volunteers drawn from the communities it serves; and

WHEREAS, every program of the Association benefits by the contribution of volunteers; and

WHEREAS, every Brashear volunteer

plays an important and unique role in the total growth and vitality of the agency and the communities it serves.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and applaud the commitment and service of the volunteers of the Brashear Association and the communities it serves.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 734 Resolution amending Res. No. 321, effective April 3, 1990, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Renovations of Various Public Buildings; and providing for the payments of the costs thereof," by amending the title to include the purchase of a used file storage and furnishings. A total cost not to exceed \$342,000.00, chargeable to and payable from Code Account EC 90-226, "1989 Project Fund".

Which was read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 735 Resolution amending Res. No. 481, eff. June 23, 1987, entitled, "Authorizing the Dept. of Public Works to sell reclaimed asphalt, presently stored at Heth Run (located at the rear of the Zoo parking lot)." Permission is requested to sell to the general public by the ton. All monies collected are to be deposited into the Asphalt Reimbursement Trust Fund, Index

Code 250100, by increasing the cost of the asphalt by \$2.50.

Also,

No. 736 Resolution authorizing the Mayor and the Director of the Department of Public Works to execute a long-term agreement with the Allegheny County Sanitary Authority and the Township of North Fayette to enlarge the area serviced by the Sanitary Authority to provide sewage treatment services for the above, located in the Township of North Fayette. Said agreement shall be in form approved by the City Solicitor and shall be substantially similar in form to prior sewage service agreements executed among the City, Alcosan and third party municipalities.

Also,

No. 737 Resolution authorizing the Mayor and the Director of the Department of Public Works to execute a long-term agreement with the Allegheny County Sanitary Authority, Oakdale Borough and Oakdale Municipal Authority, to enlarge the area serviced by the Sanitary Authority to provide sewage treatment services for the above, located in Oakdale Borough and for Oakdale Municipal Authority. Said agreement shall be in form approved by the City Solicitor and shall be substantially similar in form to prior sewage service agreements executed among the City, Alcosan and third party municipalities.

Also,

No. 738 Resolution authorizing the Mayor and the Director of the Department of Public Works to execute a long-term agreement with the Allegheny County Sanitary Authority and McDonald Borough. Said agreement shall be in form approved by the City Solicitor and shall be substantially similar in form to prior

sewage service agreements executed among the City, Alcosan and third party municipalities.

Which were severally read and referred to the Committee on Public Works.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 739 Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Dept. of Environmental Resources, for the purposes of granting the Dept. of Interior and the Dept. of Environmental Resources a right of entry into, over and upon certain lands owned by the City in the 14th Ward (Beechwood Blvd.), and a license and right to install mine drainage piping.

Also,

No. 740 Resolution vacating Strap Way from Woods Run Avenue northwardly 73.54' feet to a point by 20' feet in the 27th Ward, Voting District 1, of the City of Pittsburgh. The petitioner has requested this vacation for expansion purposes.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 741 Resolution amending Res. No.

994, eff. Dec. 27, 1989, entitled, "Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) in the Shadyside Community pursuant to Pittsburgh Chapter 549, so as to expand the streets included in the existing Shadyside RPPP Area 'J', by adding the block of Bayard Street from Devonshire Street to North Craig Street which block was inadvertently not included in the final draft of the ordinance. The fee is \$10.00 per year, which will include the cost of one (1) visitor's pass per household or at a cost not to exceed \$1.00 for households not purchasing a residential parking permit.

Also,

No. 742 Resolution authorizing the submission of Enterprise Zone applications with the Commonwealth of Pennsylvania Department of Community Affairs for financial assistance for 1990.

Also,

No. 743 Resolution authorizing the filing of an application for financial assistance in the amount not to exceed \$125,000.00 for the renovation of the Regent Theater by the City of Pittsburgh with the Department of Community Affairs, Commonwealth of Pennsylvania.

Also,

No. 744 Resolution providing for the 1990 Fifth and Forbes Public Space Improvements Program Cooperation Agreement with the URA of Pgh. providing for designation of \$250,000 in City Bond Funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.
(COUNCIL DISTRICT: ALL)

Also,

No. 745 Resolution providing for the 1990 Community Development Investment Fund Cooperation Agreement with the URA of Pgh. providing for the designation of \$325,000 in Urban Development Action Grant repayment funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.
(COUNCIL DISTRICT: ALL)

Also,

No. 746 Resolution providing for the 1990 Neighborhood Housing Program Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$500,000 of certain Pittsburgh Home Ownership Program Funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. (COUNCIL DISTRICT: ALL)

Also,

No. 747 Resolution providing for the 1990 Pittsburgh Construction Loan Fund Program Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$200,000 of certain Pittsburgh Home Ownership Program Funds, Community Development Block Grant Funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.
(COUNCIL DISTRICT: ALL)

Also,

No. 748 Resolution providing for the

1990 Rental Housing Development and Improvement Program Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$1,000,000 of certain Tax Exempt Revenue Bonds, Community Development Block Grant Funds, Rental Rehabilitation Program Funds and Developer Private Investment Funds as the Local Matching Share for a grant applied for in an application for financial Assistance filed with the Pennsylvania Department of Community Affairs. (COUNCIL DISTRICT: ALL)

Also,

No. 749 Resolution providing for the 1990 Housing Recovery Program Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$800,000 of certain Pittsburgh Home Ownership Program Funds, Developer Private Investment Funds, Community Development Block Grant Funds, Urban Development Action Grant Funds and Private Lending Institution Funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. (COUNCIL DISTRICT: ALL)

Also,

No. 750 Resolution providing for the 1990 Minority Business Development Fund Cooperation Agreement with the URA of Pgh. providing for the designation of \$100,000 in Community Development Block Grant Funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. (COUNCIL DISTRICT #6)

Also,

No. 751 Resolution providing for the 1990 Streetface Program Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$200,000 of Urban Development Action Grant Repayment and developer equity funds as the Local Matching Share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs. (COUNCIL DISTRICT: ALL)

Also,

No. 752 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$250,000 to the Pennsylvania Dept. of Community Affairs for the Fifth and Forbes Public Space Improvements Program. (COUNCIL DISTRICT: ALL)

Also,

No. 753 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$325,000 to the Pennsylvania Dept. of Community Affairs for the Community Development Investment Fund Program. (COUNCIL DISTRICT: ALL)

Also,

No. 754 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$200,000 to the Pennsylvania Dept. of Community Affairs for the Pittsburgh Construction Loan Fund. (COUNCIL DISTRICT: ALL)

Also,

No. 755 Resolution authorizing the URA of Pgh. to submit an application for

financial assistance in an amount not to exceed \$500,000 to the Pennsylvania Dept. of Community Affairs for the Neighborhood Housing Program. (COUNCIL DISTRICT: ALL)

Also,

No. 756 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$1,000,000 to the Pennsylvania Dept. of Community Affairs for the Rental Housing Development and Improvement Program. (COUNCIL DISTRICT: ALL)

Also,

No. 757 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$800,000 to the Pennsylvania Dept. of Community Affairs for the Housing Recovery Program. (COUNCIL DISTRICT: ALL)

Also,

No. 758 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in the amount of \$100,000 to the Pennsylvania Dept. of Community Affairs for the Minority Business Development Fund. (COUNCIL DISTRICT #6)

Also,

No. 759 Resolution authorizing the URA of Pgh. to submit an application for financial assistance in an amount not to exceed \$200,000 to the Pennsylvania Dept. of Community Affairs for the Streetface Program. (COUNCIL DISTRICT: ALL)

Which were severally read and referred to the Committee on Planning, Housing and

Development.

Michelle Madoff presented

No. 760 Resolution providing for the issuance of a warrant in favor of Famous Telephone Supply, P.O. Box 2172, Akron, Ohio 44309-2172, in the amount of \$2,996.42 in payment for services furnished for the benefit of the City in connection with the purchase of telephone headsets, chargeable to and payable from Code Account 1925, Equipment, Administration Division, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Millones presented

No. 761 Resolution authorizing the Mayor and the Director of the Dept. of General Services, on behalf of the City of Pittsburgh, to enter into a Lease Agreement or Agreements, approved by the City Solicitor, for the leasing of a City owned fire truck Model 1968, American LaFrance, to the Borough of Homestead, for the sum of \$1.00 per annum.

Which was read and referred to the Committee on General Services.

Also,

No. 762 Resolution providing for an Agreement or Agreements with an actuarial firm to provide actuarial services for the City of Pittsburgh for a period of three years, for the years 1990 through 1993, at a cost not to exceed \$100,000.00 per year, subject to annual appropriations, chargeable to and payable from Code Account 1063, Misc. Services, Department of Finance.

Which was read and referred to the Committee on Finance.

Mr. Milllones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 763 Resolution providing for the issuance of a \$1103.61 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage to a leased vehicle on August 1, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 764 Resolution providing for the issuance of a \$5,000.00 warrant in favor of Robert and Joyce Turnbull, parents and natural guardians of Christine Turnbull, a minor, for personal injury sustained on September 4, 1988 on Plainview Avenue in the City of Pittsburgh, payable from Code Account No. 46, Judgments. Personal injuries resulted from a fall caused by a 10 to 12 inch terracotta drain pipe that was broken over the years permitting sharp, jagged edges to exist.

Also,

No. 765 Resolution providing for the issuance of a warrant in the sum of \$2,837.50 to Donald J. Hohman t/d/b/a Cross Trucking & Storage, c/o Harlan S. Stone, Esq., his attorney, Stone & Stone, 1112 Oliver Building, Pittsburgh, PA 15222 in full and final settlement of alleged property damage due to water run off from City property on High Street to Spring Garden Avenue in the City of

Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 766 Resolution providing for the issuance of a warrant in the amount of \$4,800.00 to Robert Pistella and Tina Pistella, husband and wife c/o Frank E. Little, Esq., their attorney, 1313 Manor Complex, 564 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of alleged personal injuries in an auto accident involving a Citiparks vehicle on or about East Ohio Street and the 31st Street Bridge in the City of Pittsburgh or or about June 6, 1988, payable from Code Account No. 46, Judgments.

Also,

No. 767 Resolution providing for the acceptance by the City of Pittsburgh from Timothy J. Rooney of certain property in the 26th Ward of the City of Pittsburgh, for public purposes at no cost to the City of Pittsburgh.

Also,

No. 768 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 769 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 770 Resolution providing for an Agreement or Agreements with an Instructor for the Training Academy at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account (PSTA), Bureau of Administration, Dept. of Public Safety.

Which was read and referred to the Committee on Public Safety.

The Chair presented

No. 771 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of March 31, 1990.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair:

I believe we should take these individually or, if it is the will of Council, we could take them collectively.

The Chair presents

No. 727 Resolution appointing Deborah Miskovich, 1322 N. Highland Avenue, Pittsburgh, PA 15206, as a City Magistrate for a term effective immediately and to expire January, 1991.

Which was read.

Mr. Millions:

I would like my comments brought forward on Ms. Miskovich. I have no problem, Mr.

President, with the bills being taken collectively.

The Chair:

Let's deal with this one individually and then we'll go with the remaining as a group.

Is it the will of Council to have all comments brought forward?

Michelle Madoff:

It would take forever. We talked for one hour.

The Chair:

Okay, then I would like mine brought forward also for the Record.

Mr. Ferlo:

I'd like a footnote that you can refer to the Committee Session if you want to read my comments.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING -- MESSRS. MILLIONES AND WAGNER'S COMMENTS ON
APPOINTMENT OF DEBORAH MISKOVICH AS HOUSING COURT MAGISTRATE,
WEDNESDAY, MAY 9, 1990)

Mr. Wagner:

Deborah, just a few questions and my colleagues have touched on many things that are of concern to me also.

I've watched you on the Zoning Board and I think you've done a very good job and I feel that you will do a good job here also.

I see the Housing Court as being a court that has increased in importance and will continue to in the future in the City of Pittsburgh with more landlords particularly more absentee landlords as we have more of a transient population in the city and hopefully we make the city better for investment for people to live with the reduction in the wage tax that has occurred and many, many other things that are occurring. So I see the importance of this position enhancing over time. If there has been any drawback in watching the Zoning Board hearings and I believe Mr. Ferlo referred to it earlier, it's the length and the timing and the way that they're conducted in a sense. That has occurred to some degree also in Magistrate's Court and I believe that people that are coming to court should come at a specific time and should be able to have their case heard and move on within a reasonable time period. Now I'm not saying that it should be like clockwork but time is of value to everyone and I would like you to make a commitment to make sure that somehow from a timing point of view that Housing Court moves along in a smooth fashion so that people's schedules are not disrupted for days at a time when they have to appear at Housing Court.

Ms. Miskovich:

I have no difficulty at all making that commitment. As justification, I do want to point out that the Zoning Board of Adjustment cases unlike the cases that come before the Housing Court magistrates are subject to appeal to the Court of Common Pleas and are not Trial De Novos which means that the transcript, the record that is made in the Zoning Board of Adjustment hearings is the transcript that they are relying on for purposes of appeal to the Court of Common Pleas, to the Commonwealth Court, to the State Supreme Court. Because of the importance of my making certain that there is a complete transcript that everybody had a fair opportunity to put their testimony on the record to preserve those issues for subsequent appeal, I do give people time. I do not limit my hearings to five minutes or twenty minutes or one-half hour or one hour. I give them all the time that they need to make a good record but

understanding that those cases for the most part are going to be reviewed on the record that I make.

The Housing Court is entirely different. Those are statutory appeals as well to the Court of Common Pleas but on the other hand they're De Novo because they are quasi-criminal in nature.

Mr. Cohen:

If I may interrupt, you should explain what that means.

Ms. Miskovich:

I'm sorry. De Novo means that it's a whole new hearing. It's treated as if, whatever happened at the previous hearing the Court will recognize that there was a decision against your favor but you're given a whole new opportunity with a clean slate to start all over in presentation of your case and likewise prosecution has to present their case all over again so the Housing Court goes on appeal as De Novo, a whole new hearing. Zoning cases are not De Novo. The most that you can ever gain is -- in all of the years that I have been on zoning and with the City's Law Department, the most you ever gain on appeal is to allow for the taking of additional testimony but never to supplant the record.

Mr. Wagner:

However it is and whatever the difference is and I appreciate your explanation and your commitment towards the Housing Court, Mr. Zottola better be able to address this issue because I think the issue is an important issue on the Zoning Board but that's behind us. As long as you're making the commitment in the Housing Court, that's sufficient for me in terms of this discussion.

We have a repetitive situation with absentee landlords not notifying their tenants of various requirements by law such as refuse, placing refuse out in front of buildings. I hope that you are very tough on those people in the future. We are still suffering today in the city from the litter problem created for people putting rubbish out on Good Friday and that rubbish sitting for one week on streets throughout the city and I'm hoping that you are much tougher than your predecessors in terms of enforcing that law.

Ms. Miskovich:

I've turned in my husband whenever he didn't pull the car directly into the garage but let it park on our driveway -- the gentleman seated over to my left. I take a hard line on enforcement of the Code. I have no problem whatsoever going

after the owners of property. Ultimately it is the owner of the property who's responsible and not the tenant. And regardless of whether or not he or she attempts to exculpate themselves from liability by including provisions in their lease doesn't do it under the law so I think that since I'll be ultimately going after the property owners.

Mr. Wagner:

Fine, but I want you to know that I would rule that your husband was not guilty because I think people should be permitted to park in their driveway so I hope that you don't enforce that law or maybe Council needs and I know we have all looked at that to some degree and we're continuing to look at it. There needs to be some amendments to that law and maybe they should expedite that process before you're appointed.

On another issue particularly with the absentee landlords, we need to send a message because they are making a profit on residents living in the city and us enhancing the environment where their investments are and we certainly think that their structures should be equal to or better than the residents or the homes around them in terms of appearance in the way they're kept and I'm looking for you to make sure that that happens in the future.

Ms. Miskovich:

You would not be disappointed.

The Chair:

I have a couple of questions. I perhaps will become part of what seems like a fan club you have here around the table. I don't know you and there are only two situations that I would like some further insight on. One was the case in Washington County that you represented and the folks who were opposing Mel Blount's youth home including the Ku Klux Klan and you represented that case. I was very curious as to why given that you -- of course lawyers can represent whom they choose but given that you were an important city public official that was intriguing to me. Could you say a little bit about that?

Ms. Miskovich:

Certainly I can. First of all I am an attorney and along with the privilege of having a license to practice law in the Commonwealth of Pennsylvania comes with it the responsibility that I act as an advocate for clients regardless of whether or not they're on a popular side of the issue.

The Chair:

I understand that but that's not what I'm addressing.

Ms. Miskovich:

If I may, on this case I represented two abutting property owners. For those of you who followed the Mel Blount Conditional Use Application in Washington County, there were more than 400 individuals who participated in the proceedings that they had to have held in an auditorium. I represented two abutting property owners. I did not represent any other group whether it was a neighborhood group, a community group or a group such as the White Knights. My clients were not either representative of the White Knights nor were they members of the White Knights. I'm not in the position to pass any further except to say it's always interesting that when you articulate your client's position that the media tend to pick up only on one or two people whom they may have felt articulated a certain position. My clients were opposed to the grant of a Conditional Use Application for an institutional facility in a residential area. I've had perhaps 200 cases like that in the City of Pittsburgh and I've yet to have one of those cases ever come to the Zoning Board that hasn't generated controversy and by controversy I mean abutting residential property owners being concerned. My feelings about group homes and institutional facilities specifically those for youth, I sit in a non-renumerative capacity and had at the time I was arguing that case for AITPYST, which is the program that is out at the Schuman Center, not for the type of youth that Mr. Blount was proposing for his facility which were non-violent misdemeanor offenders and truant children, the children that I sit on the Board of Directors for are violent sexual youth offenders. It's an all-boy facility as well.

If I'm to have guilt by association because my clients were concerned with an issue that generated others' involvement that was not in line akin or in any way remotely indicative of my clients' concerns, then I guess that's always going to happen.

The Chair:

But you could understand why I am concerned.

Ms. Miskovich:

I certainly do and frankly in fact I had a case that's pending right now before me at the Zoning Board for a youth home in Baldwin Borough and I made a point without the request of counsel for the respective parties, I made a point of letting them know that for one's purpose on the one hand I want them to know that I had represented a client who was opposed to an institutional facility and on the other hand I sit on the Board

of Directors that is very pro these types of institutional facilities that I from my personal perspective am very much in favor obviously or I wouldn't sit on the Board.

As an advocate I will represent my clients and again I represented two out of three or four hundred people that were there; they just quoted me.

The Chair:

I'm sure you're aware that not only are you a lawyer but you are a public official and with that comes the news media and all that goes with that.

Ms. Miskovich:

I would like to point out one other thing. That issue of the invocation of the KKK did not come up until several months after we had taken on representation. I worked for a corporate law firm and am an associate so I'm assigned to cases. When my firm took on representation of the two abutting property owners, that wasn't the issue. The issues were all the legitimate issues that should be addressed whenever you have a zoning issue before you. They entered the picture several months, it had to be five or six months well into it.

There is a Canon of Ethics that requires that an attorney not withdraw their appearance or cease being an advocate just because a case becomes difficult. If you'll bear with me, I have -- there's a theory called the --

The Chair:

-- I just have one more question. The issue that relates to the giving of variance for folks in the 3rd Ward to build a massive parking lot that abuts the property, the Crawford-Roberts property which everyone knows is going to be a pretty far reaching project and as I understand it you did not vote on that case. Are you familiar with the case?

Ms. Miskovich:

Yes, I'm familiar with it but I did not vote. I sat in it for the first part of the hearing and that case was being argued by Justin Johnson for the appellant developers and I don't believe that there was counsel representing the neighboring property owners.

I sat in and I heard the case. We have an understanding at the Zoning Board of Adjustment that whenever we feel that there is a conflict in a case, whenever we feel that we can't decide a case fairly, we don't participate in the vote and we take that very seriously.

I heard about the first 30 percent of the case and I had some difficulties with it and when -- although I have voted in the dissent on a number of cases, if I don't think that I can fairly judge a case then I won't sit on it and that's why I removed myself from participation.

The Chair:

But that doesn't answer my question. My question was, why didn't you vote?

This is a case that involved virtually every organization and constituent group in the Hill District opposing the building of a parking facility and what happens now happened is that the variance was granted and these community groups of which you had spoken earlier about have been forced to raise money to fight an appeal in Commonwealth Court on a case that has absolutely nothing to do with serving the needs of that community but of some entrepreneur but I'm interested in why you didn't participate.

(AT THIS POINT I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Ms. Miskovich:

The difficulty is, that case is on appeal right now as you indicated in the Court of Common Pleas. Although I could enjoy a confidential relationship with you on a one-on-one, I can't publicize my opinion of the case when it's pending on appeal. Right now it's sitting before Judge Penkower.

The Chair:

Yes, I understand. Well my opinion is that the case smells to high heavens, that it's speculation and that I'm concerned as to why a city agency made the ruling in the first place.

Ms. Miskovich:

I do know in all fairness to Mr. Fox and to Mr. Noonan who voted approval, I've always found them to be fair. They didn't discuss their decision with me either before or after.

The Chair:

Thank you.

(End of Comments)

Prepared By: Helen Kriebel, Stenotype Reporter

The Chair:

Is there any further discussion on the appointment?

And shall the appointment pass finally?

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Miskovich was approved.

Mr. Ferlo:

Mr. Chairman, we'll be offering a motion to reject two of the appointments and I don't know if we have to take them separately or not.

The Chair:

We'll take them individually.

Also,

No. 730 Resolution appointing Linda Brown, 223 Schenley Manor Drive, Pittsburgh, PA 15201, to the Board of Water Assessors of the City of Pittsburgh. Linda Brown will replace Robert Ravenstahl.

Which was read.

Mr. Ferlo:

Mr. Chairman, on this appointment and the other appointment, two of which are employees that the Mayor has suggested to Council be designated as the new members of the Board of Water Assessors, I'd like to raise an objection. My objection certainly is not with the two individual; they are competent staff people, they have served the City well.

I think inherently, though, with the appointment there is a flaw. I believe very strongly that in principle the composition of the Board of Water Assessors should be citizens and residents of the City of Pittsburgh and not appointed employees, especially employees within the very department that is supposed to ferret out complaints, legitimate or otherwise, that citizens have with their water rates and water bills.

In Chapter 303 of the Municipal Code which describes the composition, the duties of the Board of Water Assessors, in the composition it states that the Board of Water Assessors shall consist of three qualified residents to be appointed by the Mayor, one of whom shall be designated as Chairperson by the Mayor.

I think inherent in that description is an implication that these individuals should be residents and should be citizens and not staff people within the City bureaucracy. Every other place that I can think of in the Municipal Code and the powers of the Mayor to appoint membership to the various authorities and boards and commissions and committees, where there are employees to be designated on those authority boards or commissions, committees, whatever form it is, it usually spells out specifically in the Code, for instance in the Board of Code Review it states very explicitly what employees within the City bureaucracy would be on that board. And if you look throughout the Code, you'll find specific references to employees by title who should be

on various boards, commissions and authorities.

I think implicit in the composition of the Board is that inherent impartiality that could come from citizens being appointed and not employees, and certainly not employees within the same department. It's sort of the fox watching the chicken coop. In one hand the individual citizen is supposed to go to this Board of Water Assessors and discuss in an impartial forum a problem or dispute they have with their bill, but they're discussing it, and this is in no way casting any aspersion on the individuals who are certainly competent and well qualified.

I think inherent, though, is the implication in the Code, and certainly in the Charter, that there be independent citizens on this Board. I think it's important as far as the due process of an individual citizen meeting with the Board. I think it's important as far as the impartiality that these three board members of the Water Assessors Board would show to an individual citizen who has filed a formal complaint.

And I think another main reason is that throughout the intent of the Home Rule Charter, our references that as much as possible citizens should be involved in government, and this is another form in which citizens have a possibility of being a member of an important board within the City government.

So, for all those reasons, I would ask that we respectfully disagree and reject the appointment of Ms. Brown and the other appointee to the Board of Water Assessors. For this reason, I will be voting no and I would hope that we all vote no and ask the Mayor to rethink this issue in terms of the composition of the Board of Water Assessors.

No one has been more articulate than my colleague, Michelle, over the years. I'm pointing out some of the problems in the Water De-

partment with the billing and the collection and the flat water rate disputes, and I think we need to seek a new level of impartiality on the composition of the Board.

Michelle Madoff:

I would like to suggest to my colleagues and the President of Council that we hold these two appointments and meet with the Administration to talk about either expanding the Board to have impartial people on it and see if we can revise the structure of the Board.

There's no question when what we're reading every day in papers is the kind of information that's coming out, even though there's an effort to contain the information, sort of contain the damage control. But every day we hear about someone else having a problem, not the least of which is one of our colleagues. And anybody with any sense of awareness has to look at that article and say how did this City ever allow the sale of a property without a final bill.

There's so much responsibility on the part of the City that I have to share my colleague's opinion that we need to have some impartial people on that, not the City, saying, well, we've done it this way for 35 years, we're going to try to change it, we've been working for a year, and while we're making some stride, it's the same old, same old.

I think it would not hurt us to wait a week and find out whether that Board can be expanded to include independent members.

Further, what is happening is that we are getting a list, perhaps not every member of Council but I will ask the Water Department to give me a list of the abatements. They just say abated. They don't say why. They don't say if the person had their water bill read, whether it wasn't read for ten years. Were we at fault? We

don't know anything. We're just saying we're transferring money to give rebates. To whom, for what and why? We don't know those reasons.

I don't think it's an irresponsible role for us to hold it a week.

Mr. Ferlo:

Obviously I feel strongly about this issue and I would ask that we vote these down. I have no problem holding it if I thought that at the end of that discussion we'd actually come out with something different.

The Municipal Code very clearly states the composition has to be three individuals, so the idea of enlarging the Board — We would have to go through the process of amending the Code and informing the various parties and formal legislation to amend the Code. The Code very clearly states that it will be three members.

I might point out to Council that the other individual is Gretchen Donaldson who, as we all know, is the extremely competent Deputy Assistant Solicitor. But, again, that is an individual within the bureaucracy and that individual, coupled with the two appointees, makes it an in-house board. I don't think it's right and I think the citizens would like some impartiality.

Mr. Millones:

Your arguments do make sense to me but it doesn't make sense to me, however, that we would have called these people to the table under rather extensive discussions and questioning and even congratulations, as I recall, and then to come up today and say we don't think you ought to be appointed. It seems to me this discussion should have occurred last week.

Michelle Madoff:

I think Dr. Millones raises a very true issue. Yes, that should have been done that way. However, sometimes we miss the obvious. I wasn't aware of the obvious until Mr. Ferlo raised the issue of hey, this is all in-house. Shouldn't we be looking at it another way? It's like canceling the marriage the night before if the marriage isn't going to work out, or being embarrassed not to cancel because the invitations are out and the gifts are received.

Maybe we ought to look at not making it any worse and trying to solve the problem even at this late date.

I happen to think the two people appointed are outstandingly qualified for working in their particular jobs, but I hadn't thought of it from the perspective that my colleague raises and I think it's worthy of consideration. I see nothing wrong with holding it a week. Perhaps they could be members of the Board without having voting status, be part of informational. Maybe the structure of the Board could be changed in such a way but not having to go back and change the Code. They could sit in as an informational source, share information as to why, how, and so on, but an independent Board could actually do the voting.

The Chair:

Procedurally, we are going to vote on the appointment unless there is another motion put on the floor to hold --

Michelle Madoff:

I put a motion on the floor to hold one week.

The Chair:

Is there a second on the motion? Is there a second?

The motion fails due to the lack of a second.

Now, the motion that is automatically on the floor is for appointment.

Mr. Ferlo:

Just one brief last comment, Mr. President.

In response to my colleague, Dr. Milliones, he is right. I didn't actually start thinking about this issue until I engaged the individuals who were going to be appointed in discussion at the table. I did not learn about this composition issue and I did not research the Code until subsequent to that discussion.

His point is well taken but, to be honest, I really didn't ferret out some of these issues until they came to the table.

The Chair:

Okay, Ms. Brown is up for appointment to the Board of Water Assessors.

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Ricciardi

Mr. Milliones

Mr. Wagner
(Pres't)

AYES 4

NOES 3

VOTING NO:

Mr. Coyne
Mr. Ferlo

Michelle Madoff

And there not being a majority of the votes of Council in the affirmative, the appointment of Ms. Brown was tabled.

The Chair:

The appointment fails due to the lack of five votes, or it can be voted on one additional time due to the lack of two Councilmembers not being here today.

Michelle Madoff:

Mr. Chairman, point of order. Would you try to meet with the Administration on this issue and see if we can resolve the procedure of the Board, that they would still be members in good standing to share information representing the City and see if we can get the Administration to put in other names so that we'd have an independent Board?

The Chair:

I don't think that's possible to do both.

Also,

No. 731 Resolution appointing Barbara Danko, 1140 Lancaster Avenue, Pittsburgh, PA 15218, to the Board of Water Assessors of the City of Pittsburgh. Barbara Danko will replace Carolyn Marks.

Which was read.

Mr. Ferlo:

My same comments on this appointment, Mr. Chairman.

Michelle Madoff:

Ditto.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 4 NOES 3

VOTING NO:

Mr. Coyne	Michelle Madoff
Mr. Ferlo	

And there not being a majority of the votes of Council in the affirmative, the appointment of Ms. Danko was tabled.

Also,

No. 732 Resolution appointing Laverne Wheeler, 4355 Andover Terrace, Pittsburgh, PA 15213, to the Minority and Women Business Enterprise Review Committee for a term effective immediately and to expire April, 1992.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Wheeler was approved.

Also,

No. 733 Resolution appointing Rich Bellasario, 1232 Wareman Avenue, Pittsburgh, PA 15226, to the Minority and Women Business Enterprise Review Committee for a term effective immediately and to expire April, 1992.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Bellasario was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

No. 772

Report of the Committee on Finance for May 9, 1990 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 651

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, 'Fiscal', Article IX, Property Taxes, 'Real Property Tax', Section 263.02, 'Payment Options; Discount and Delinquency Penalty', by changing the discount period to include up to February 10th." (AS AMENDED IN COMMITTEE)

—(SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 676

A Resolution entitled, "Resolution authorizing and directing the Mayor, Controller, Director of Finance and Treasurer to create a special trust fund, to be designated as the Solid Waste Trust Fund (SWTF) for the deposit of monies from donations, contributions, or grants related to solid waste and authorizing the use of monies deposited therein by the Department of Environmental Services for costs relating to grants and special solid waste projects."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 678

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mr.

Lebanon Office Equipment Company in the amount of \$4,984.00 for the purchase of office furniture for City Council without previous authority of law, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, etc. (Index Code 100115)."

—(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo for Mr. Darkins presented

Bill No. 773

Report of the Committee on Public Works for May 9, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 673

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Warriors Hill Plan of lots."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 774

Report of the Committee on Planning, Housing and Development for May 9, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 674

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to utilize \$150,000 of Neighborhood Development Program Funds in connection with the Western Restoration Center Development."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 6 NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 775

Report of the Committee on General Services for May 9, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 669

A Resolution entitled, "Resolution providing for an Agreement of Lease with Commerce Realty Associates, L.P., for certain office, computer and storage space, together with the right to use in common with others the common areas in the Chamber of Commerce Building, 411 Seventh Avenue, Pittsburgh, Pennsylvania, 15219, for a term one (1) year with an option to extend said lease for an additional term of two (2) years, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 776

Report of the Committee on Engineering and Construction for May 9, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 668

A Resolution entitled, "Resolution amending Resolution No. 1020, effective December 31, 1988, entitled, 'Providing for a contract or contracts, or use of existing contracts for Repairs to Retaining Wall No. 12 of the Bloomfield Bridge; and providing for the payment of the cost thereof;' by amending the total project allocation by \$17,142.01 from \$45,000.00 to \$62,142.01."

Which was read.

Michelle Madoff:

I'd like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MICHELLE MADOFF'S COMMENTS ON BILL NO. 668,
WEDNESDAY, MAY 9, 1990)

Michelle Madoff:

This is repairs, that's the operative word?

Mr. Valent:

The work involved was not repairs. If I can explain it --

Michelle Madoff:

-- it says repairs that's why I'm concerned.

Mr. Valent:

I don't know why it said that.

Michelle Madoff:

I'm sure Mr. Perry picked it up out of the material that was sent.

Mr. Valent:

If I can explain the work involved I'll be glad to.

Prior to the construction of the Bloomfield Bridge Project the Urban Redevelopment Authority negotiated with a property owner namely Allegheny Uniform Company at Finland Street and Bigelow Boulevard to purchase a portion of their property for the construction of the stairway to the Finland Street overpass. In order to construct this stairway they had to take a portion of their property. The agreement was that their retaining wall would be revised and their parking lot extended to provide them ample parking to take and provide them ample parking in substitution for the lot that was taken for the stairwell.

During the construction of the parking lot and the retaining wall it was found that in order to provide them proper access to their property the wall had to be extended and the asphalt paving had to be extended so basically this was the work involved. This work could not be done under the original contract because it involved work on private property.

Michelle Madoff:

When did you know you were going to do this work on private property?

Mr. Valent:

I don't know.

Michelle Madoff:

In relationship to the bridge?

Mr. Valent:

It was prior to the start of the project, yes.

Michelle Madoff:

That's exactly my point. Why didn't somebody include the dollar factor of the needs for the best part of the building of the Bloomfield Bridge at that time and the scope of work so you don't come back for a little add-on like finding an abandon mine on the side of the bridge and now we've got a piece of property that we have to make good on as a quid pro quo. I don't have a problem with that. The problem I have is that I want to know up front and not at the end. We just have this little oversight; it wasn't an oversight, you knew about it. You knew about it right up front. You should have included that in the cost of the project and tell us that this is the scope of work that's going to have to be implemented and there's going to be a cost factor involved.

Mr. Valent:

The cost was known initially as being \$45,000.00, it was not known that it would go another \$17,000.00 until construction was done.

Michelle Madoff:

You know I have a problem with all of this. The cost estimator really blew it again and again and again and it has to stop.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have a number of items I'd like to share with Council, if I may.

I want to thank my colleague, Mr. Ricciardi, because he has set up a precedent which I think is very effective and which I am emulating. You know, it's amazing to be here a number of years and you think you know the best way to do things, but you can always learn something from somebody else.

Mr. Ricciardi has been holding post agendas with the community and with the pertinent parties in the City so that everybody sits down together and shares information as an informational meeting.

I started to think about that. Our office is doing that as well but instead of running out to the community and having to set up meetings with 20 different people, we started to do it in the same way and it's very effective. So thank you.

I started to think about that and I started to think about another problem a lot of us have, and that is, trying to get information that never arrives. Those of us who have been here a long time know that we'll come to this meeting and information we've asked for isn't here.

So, I am going to try to have post agendas on the things that I don't have answers on. When I call a department head and I call all over and spend an afternoon and another day and I don't get answers, maybe the best way is to say, "Okay, we'll have a post agenda", bring them to the table and they have to show up.

So the first one I'd like to request, and it should take ten minutes, is that I've had calls in my office about the installers and supervisors on meters not getting their 26 cents and pay that they are allotted for travel time in lieu of their car.

I've talked to the Controller's Office and they tell me one story and I've talked to Ben Hayllar and I get another story and then I spoke to someone else and I got a third story. I still don't know the answer, but the people haven't been paid for March and April, and here we are into May.

So, I would like a post agenda, even if it's been paid, to find out why it wasn't paid, why the code account -- I was informed that the code account was NSF from the Controller's Office, but told that the money was there through Mr. Hayllar's Office.

Let's get everybody together. This is not

a criticism but let's find out so that the Administration will know that we can't get an answer by phone. And if they don't get back to us, we will hold a post agenda because I think it's important that we know these things.

On another matter. This Council, I believe, has agreed in principle and I assumed I had the votes, to waive the -- Engineering and Construction particularly does business in awarding contracts. Somehow or other, the colloquialism or the name that has been applied to this bill has been "not to exceed".

It is not just about not giving the store away by advertising how much we have to give away. It's a number of other things. The Administration has said yes, the other things are wonderful. But how do we take the "not to exceed" out of the not to exceed bill? The whole purpose of the bill is to remove that number.

And so we talked about having a range which is what happens in the private sector. You don't say that you have \$3 million to spend if that's what you have; you put a range out from \$1 million to \$5 million.

I think it would be important that we, again, meet with the appropriate people as a post agenda here in Council as a fact-finding entity.

I just found out ten minutes ago that the person who submits the budget is Jane Downing. She was the one person we never talked to and completely bypassed because I didn't know the budget came from here. We've met with the Law Department; we've met with Mistick and Turner and with everyone. But now it seems that we have to start from scratch and explain it to her.

I did submit to Mr. Turner the information that was supplied by Jim Josephs on categories in ranges so that the bill can be adjusted.

But if I don't have that information by next week in a satisfactory form, and even if we do, it might just be a good idea -- Why should I have this information by myself? My colleagues might want to share in getting that information and, again, we could do a post agenda.

On the issue of the Water Department and what we've been reading in the papers about another problem of major magnitude, significant dollars, I want to know how did we ever have, and I'm asking for about the 900th time but maybe in a post agenda in a fact-finding meeting we're going to find out. How do we sell a piece of property without a final water bill? Was the information passed on to the Church? Was it not? What do we do to prevent this kind of episode from happening again and perhaps creating hardships for people that shouldn't exist?

So, I want to have a post agenda on Water, but I'm going to ask to hold that one until I get the printout sheet which should be here perhaps tomorrow, no later than next week. I'll get back to you on that issue.

So, the two posts I'd like to have would be one on the overtime pay and the pay on personal expenses, and the persons to be present would be Ben Hayllar and the Controller's Office.

On the issue of the "not to exceed", it would have to be Jane Downing, Mr. Turner and Mary Conturo and Member of Council so we can get that information.

On another matter. Many of you and perhaps all of us are aware, I know Jack was there, but the Governor was here for a rally meeting with the elected officials at the Sheraton last week. A number of people crashed that luncheon; they were representing insurance salesmen across the State of Pennsylvania screaming that 16,000 people were going to be

unemployed who sell insurance.

The Governor's position is that the Pennsylvania people have been overcharged on insurance and he's going to stand fast.

As you all know, insurance companies are canceling insurance contracts all over.

There is a company called Lojack. I think you mentioned it in some press release before. At the end of January, beginning of February, my office was in touch with Lojack. Lojack is a system to cut into the number of car thefts. Basically what it is is a little black box that is put in your car; you don't know where it's put yourself, so if somebody gets to you with a gun and says, "Disconnect your Lojack", you can't do it, you don't know where it is, so that eliminates that possibility.

The cars reported relatively quickly, almost always it is returned before it is cannibalized, before it is taken apart.

It is not perfect; there are many flaws to it. But the State of Massachusetts raves about it. We've talked to the Chief of Police in Boston. They rave about the process. Lojack is going to be going into New Jersey, Florida, Michigan, California and, as I said, we've talked to Massachusetts.

I just had a memo from a Mr. Conner, I believe, who is I guess the Owner, President. He will be happy to come to Pittsburgh and do a demonstration for us. And so I would like to ask the President of Council to set up a meeting with Mr. Pampera, who is also looking at the process. As a matter of fact, there is a meeting going on as we speak somewhere outside of Harrisburg, the representatives, all the police force who deal in car theft, and they're meeting and Mr. Conner of Lojack is making a presentation.

But I think it would be incumbent upon us to have a presentation from Lojack telling us what impact that process would have on car thefts. And make sure that we have our people but also we need somebody from the Governor's Office or certainly that State on some level.

The problem we're having, we've written to the State Commissioner of Insurance and we've written to - I'm trying to think of the name of the person we spoke to - but we got a letter back as to why they couldn't do it. It didn't make any sense. The State Police, the Pennsylvania State Police, as to why they couldn't do it and it doesn't make any sense to me at all. I don't think you have too many cars stolen around Harrisburg because they get out on the highway and you spot them. The problems are in Philadelphia and in Pittsburgh.

I would very much like us to pursue this as a possibility because that may really have a tremendous impact on the insurance situation.

The Chair:

Give that information to Mr. Perry and he'll set up an informational meeting that all of Council can attend.

Michelle Madoff:

And he will come in with a presentation.

Mr. Cohen:

Briefly, Mr. President, on the issue of auto thefts and Lojack, I'm working on that issue also and agree with Councilwoman Madoff that it has been a very valuable tool that has been used in the State of Massachusetts and Illinois and other states. It cut down auto thefts by 50 percent in Massachusetts.

The problem, and one that I think we all

should explore, is one of finances. It now costs approximately \$500 for a Lojack device be put in your car. What we need to find is a funding source, a new funding source, hopefully from private enterprise. And I think the insurance companies can help out here because if you have Lojack in your car, your insurance rates will go down. So, I think that it's a very good program that we should try to institute here and maybe together we can help find a funding source for it.

Mr. Ferlo:

Mr. Chairman, since we're talking about auto theft and Lojack, I also did a lot of research on this issue several years ago and I proposed the auto theft trust fund. Mr. Cohen is exactly correct; the amount of monies are prohibitive at this point.

The other fallacy in the system is, unless it's applied regionally or multi-police jurisdictions, it has a basic problem of being affective. It's something that has to be done regionally or really, hopefully, state-wide.

It's something that we should explore and I would certainly look forward to an opportunity to hear a formal presentation. I would hope, also, though, at that point if we have the police here, we could just talk to some of the police and get back to basics and talk about how effective is the auto theft squad and what kinds of progress they are making to date. We still have a significant rise in vehicle theft in the City.

I confront many citizens who come out to various Public Safety forums. There was a very large public gathering the other evening in Stanton Heights at Sunnyside School. A gentleman had a car stolen only to be told by the Police, "Well, we know where it is; it's up on this particular street." It brings to mind the traditional question which I've been asking for three years, if we know where so many of the cars end

up, particular streets, particular neighborhoods, it would seem to me that we can design some type of an effective police surveillance and follow up.

Either I don't understand the issue fully or there are limited resources of police power, but short of Lojack which would take many years, I think we have to hold the Public Safety Department more accountable for vehicle theft and to have at this forum the Chief, Public Safety Director Cannon, and talk not only about Lojack but talk about, in the meantime, what can we do to reduce vehicle theft.

The Chair:

If I could add my two cents to the issue, I think all the measures all of you are talking about are needed and need to be enhanced. However, until the automobile manufacturers put on anti-theft devices on all automobiles, and that could be mandated either at the State level or the Federal level, we will not see any significant reductions in auto thefts.

Mr. Ferlo:

You also talked, Mr. President, about numbering or identification of motor parts by the industry.

Michelle Madoff:

Wouldn't it be a good idea, Mr. President, to invite the representatives -- They have their own lobbying group that works for them I think probably in Washington. Why don't we find out who the association representing the automobile manufacturer is and have them come to our meeting, at least to a meeting, even if it's not at the same time.

But at this one I would very much like to find out who represents the Association of In-

surers. In my naivete, for some dumb reason, I called the State Insurance Commissioner and that was the wrong person to call.

The kind of feedback that I'm getting, and I'm sure that you're getting, and I think we're being stonewalled, is that they're saying it's too expensive. Well, it isn't expensive. I mean, if I'm going out to buy a new car, what am I going to spend on a car? Anywhere from \$14,000 to \$18,000 today to get a modest car. I'm certainly going to be willing to put \$300 or \$400 more to my car to protect it from being stolen. This Club that you put in can be sawed right through. The most effective mechanism, it seems to me, is to be able to trace them at the moment.

And while I agree with you that you should have some kind of device put in your car that is anti-theft, I understand there is a radio now on some cars that says, "If you remove this car, it self-destructs". You can never reprogram it, so why bother stealing it? Of course, you get vandalism in any event.

I don't think with the problem that thousands of people aren't going to be insured now in the State of Pennsylvania, and obviously in Pittsburgh, that we can just say, "Well, let somebody else do it." I think it's something that is great concern to everyone and we ought to try to at least have the Lojack people come in. We need somebody, I don't know who you would call from the Governor's Office, to explain why we wouldn't do it. Maybe we could get Pampena be the liaison between the State and with us as to the financial aspects of it.

But I really think that we have an obligation to look at anything that's going to make things better.

Mr. Ricciardi:

Mr. President, many good ideas have

been presented today by you and my colleagues on auto theft. I think what we have to do, though, is take advantage of what is in place right now, and that's the BAT Program, Bear Auto Theft, where two very bright orange decals are put into the back windows of a car and if the car is on the road between Midnight and 5:00 a.m. that that car can be pulled over by the Pittsburgh Police Department. The majority of cars in the Pittsburgh area, statistics show, are stolen between those hours, and unfortunately in Zone 3 of the City of Pittsburgh, only two people have taken advantage of that.

So, I do agree with my colleagues and you, Mr. President, that we should look towards the future, but the City of Pittsburgh has to begin to promote and market our programs that we have in place now a little bit better and I think we are not doing that well. I'm sure if you question many residents in the streets today, I'll bet a majority of them do not know about the BAT Program. So maybe that's something we should look into and Michelle and I might have a post agenda on that too.

Michelle Madoff:

Why don't we just put it on our cable? It was passed in Council.

The Chair:

We'll schedule a meeting where we can talk about all these issues interrelated to auto theft. I think that's a good idea and I think we should do that within the next few weeks.

Mr. Cohen moved to approve the Minutes of Tuesday, May 8, 1990.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff moved to excuse **Mr. Darkins** and **Mr. Regan** for absence from the meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, May 22, 1990

No. 21

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, May 22, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

I would like to mention that Mr. Milliones will be late for today's meeting due to a planning session in regard to the Crawford-Roberts Project.

Mr. Darkins and Mr. Regan presents

No. 801 WHEREAS, since the founding of this great nation, law enforcement officers have safeguarded the rights and protected the lives and property of its citizens; and

WHEREAS, law enforcement officers serving the citizens of Pittsburgh exemplify the finest precepts of jurisprudence and bravely defend our rights; and

WHEREAS, many have sacrificed their life protecting the City and its residents; and

WHEREAS, the week of May 13-20, 1990 is Police Memorial Week in Pittsburgh; and

WHEREAS, on Sunday, May 20, 1990 police officers will meet at 9:30 A.M. at the Moose Lodge marching to the Immaculate Conception Church in Bloomfield to pay tribute to the fallen heroes who dedicated their life protecting the residents of Pittsburgh.

NOW, THEREFORE, BE IT RE-

SOLVED, that the Council of the City of Pittsburgh commends and recognizes the dedication and all the sacrifices that police officers make and give to the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 802 WHEREAS, Ruth Goode White Bemby retired as Executive Director for Sickle Cell Society, Inc. on January 15, 1990 after over 17 years of dedicated services; and

WHEREAS, Mrs. Bemby and the Society are known world-wide for the achievements made towards finding a treatment for a disease that interferes with the normal blood cell growth that predominately affects blacks in America and dark skinned people in Mediterranean area; and

WHEREAS, under her leadership, the Sickle Cell Society, Inc. grew from a grassroots group to a strong, independent community supported organization; and

WHEREAS, in 1987 the Sickle Cell Society, Inc. opened the new Murray-Irvis Genetic Disease Research and Treatment Center; and

WHEREAS, the Center received national and international acclaim for its dedication to the research of the Sickle Cell disease.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh applauds Ruth Goode White Bemby for her vision, leadership and determination and recognizes the significant contributions she has

made to find treatment for the Sickle Cell disease; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends to Mrs. Bemby best wishes and harmony throughout her leisure years.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

May I please have Nancy Jessup, Marian Gray and Agnes Barkley step forward.

Michelle Madoff presents

No. 803 WHEREAS, the Mount Washington Branch of the Carnegie Library was one of eight designated branch libraries in the fourth to be constructed in Andrew Carnegie's original plan for branch libraries, to serve individual neighborhoods of the City of Pittsburgh; and

WHEREAS, the Mount Washington Branch Library has been housed in the same building and is celebrating its 90th Anniversary on May 26, 1990, for providing information, educational and recreational resources for the Mount Washington community; and

WHEREAS, the Mount Washington Branch Library has lived up to Carnegie's original intent by providing library services to generation after generation of Mount Washington residents, exemplifying the meaning of the community branch library; and

WHEREAS, the Mount Washington Branch Library maintains a collection of over

twenty-four thousand books and is connected to the central computer system of the main branch which allows residents access to a collection of over four million books; and

WHEREAS, the Mount Washington Community Branch library provides other services such as: The Visitors Information Center which highlights City activities for local residents as well as tourists; a community meeting place; literacy tutoring; free tax assistants, as well as many other activities for residents, tourists, adults, and children,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby celebrates the Mount Washington community on the occasion of the 90th Anniversary of the Mount Washington Community Branch of the Carnegie Library of Pittsburgh by honoring its history, staff, the friends of the library and patrons.

Michelle Madoff moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

I don't know if anybody has seen this library, but it is charming. It is stated the tourists center. It is very, very special and I would love to see the McArdle Roadway brought into excellent shape, because Mount Washington is after all, the Niagra Falls of Pittsburgh. When anybody comes to visit, what do we do, we take them to Mount Washington to look at the City and we do have other places within my district that overlook the City which are very beautiful, but this is really our tourist area, and I will be bringing up some legislation as we go along to put McArdle in good shape.

Perhaps you would like to say something?

Ms. Jessup:

Well I would just like to thank you all for recognizing us, we are very excited about celebrating this anniversary. We are going to have a celebration on Saturday, that has a Victorian theme. We've got some victorian costumes which are on display from the historical society. We're going to have some activities for children, such as pony rides and clowns, and for the adults we are going to have some singing and things like that. So please come over, its going to be Saturday afternoon, thank you.

It's going to be from 11:30 a.m. to 4:00 p.m.

Ms. Gray:

We're looking forward to a good crowd on Saturday, and we are praying and will you pray with us that it doesn't rain.

Mr. Regan:

You know since I have a love for and affection for our great Councilwoman here, Michelle Madoff, I would like to introduce another great Councilwoman from the North Side, Amy Ballinger, she is visiting here from Florida. God Bless you Amy you still look good. How old are you now Amy?

Michelle Madoff:

60, 60. Amy just tell him what day you were born.

Ms. Ballenger:

August 2nd.

Michelle Madoff:

What day am I born?

Ms. Ballenger:

Her birthday and Sarah's birthday is -- we're Leo's. We're leaders.

Its always a pleasure to be back here for a few days, of course, I miss City Council but not too much, because what I do is much more interesting, you know, being out on the road, in fact, I was with Tiny Tim last week, you know he is 69 years old. He is almost as old as I am. Of course, I am old enough to be condemned.

Michelle Madoff:

Recycled.

Ms. Ballenger:

Oh yea, in fact, I am a recycled teenager. They put a glass of water in front of me and I put my teeth in it. I think happy hour is a nap, you know, when you get as old as I am, but it is always a pleasure and yesterday they took me touring all through your new highways and roadways out to the north where I used to live and I am surprised and I told everybody in the US Air Magazine this week is a story of Pittsburgh and its restaurants, get it!, because if I had never been in Pittsburgh, and after reading that I would have taken the next plane to Pittsburgh. It is so interesting. It really is, its a very good story about the City of Pittsburgh. And to me, I am just amazed, and I am gonna take a ride today on your subway and see whether I approve that or not. Not that anyone gave a damn or not, you know. But it is always nice to be here and meet all of you people who are still here and I

hope you'll have many happy returns of your work that your doing.

Mike, I was glad to see Mike, you know, if he were twenty years older, I'd marry him. And if he weren't married already of course. You know at my age with the guys you go with, well, you just go with them period. But, I'm having one hell of a good time. Touring the circle with the young comedians and I hope someday, I heard someone say, "Can't you just send us a tape", I said I can but you'll never play it in City Council. So be good to yourselves and work hard and just keep improving the City and thank you very much.

Mr. Regan:

Thank you Amy, its always nice to have you with us.

I'd like the all star great basketball team from the North Side to come up here please. This is Allegheny Middle School, who won the championship this year. Come on up my boy. Right here. Any of you young guys going to be a preacher in your life? We have the big man right here with us.

Mr. Regan and Mr. Milliones presents

No. 804 WHEREAS, the Allegheny Middle School Basketball Team, the "Invaders", won their first City championship, first time in the history as a middle school; and

WHEREAS, the Invaders, completed the season with 13 wins and 3 losses by defeating Prospect, 50-36; and

WHEREAS, the Invaders championship team is comprised of the following players: Robert Black, Curtis Edmunds, Rayshawn Glenn, Keith Gray, Kevin Hardy, Tino Hunter, Howard Milligan, Kevin Nalls, Charles Pinnick,

Orlando Tot, Kevin Washington, and John Willet; and

WHEREAS, other faculty members and students contributed to the success of this championship team include; Head-coach, Walter H. Milinski, Jr., Assistant-coach, Timothy A. Keefer, Athletic-director, William F. Florijan, Principal, Henry Stevens, Activities-director, Peg Dudash, Managers, Steve Cansler, Mike Rodgers, and Scorekeepers, Mr. Rich Stypula, Mrs. Janet Weaver; and,

WHEREAS, the Invaders Basketball Team has brought pride and honor to their school, neighborhoods, families, and the entire City of Pittsburgh,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby extends its sincere commendations to the Allegheny Middle School Basketball Team on winning the City Championship. "IT COULD HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan:

Folks do you want to say a few words?

Mr. Milinski:

On behalf of the school, student body, and the basketball team, I would just like to thank Council for this very prestigious honor, and we would like to award Councilman Regan, since he is our representative on the North Side with this T-shirt that all of our students got this year.

Thank you very much.

Mr. Regan:

Mr. Stephens, where are you? Here's a guy that used to play for the Dallas Cowboys. He got a lot of money to. Look at that gold in them teeth.

Mr. Stephens:

We would like to thank everyone for bestowing this honor upon us and the only thing that we would like to see, and our main interest is, that even though we are glad to be champs, is that we want our young to be academically prepared when they go on to pursue their various educational goals, and the academics should be priority. In which it is at Allegheny, and we are hopeful that this championship this year will carry on through this week, when we are taking the CAT tests and hopefully we can increase our test scores and the next time we come here we will be getting an honor for our academic performances as well.

Thank you very much.

Mr. Ricciardi presents

No. 805 WHEREAS, the Design Review Committee of the South Side Local Development Company has selected Award of Merit winners from the participants in the 1989 Streetface Program; and

WHEREAS, the award winners were selected for facade rehabilitation to their places of business; and

WHEREAS, this Streetface Rehabilitation is funded by the Urban Redevelopment Authority; and

WHEREAS, the Award Winners are as follows: Mary Dornenburg from Birmingham Framery received the Highest Award, and Awards of Merit were received by the following: John and Marlene Montgomery, David Erny from Erny Recordings, David Bevilacqua from the Rex Theatre and Terry and Rena Laughlin from Rynn's Luggage.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the winners of the Awards of Merit as well as all of the participants in the Streetface Program.

Mr. Ricciardi moved to approve the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 782 Resolution amending Res. No. 42, eff. Feb. 15, 1990, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and installation of two (2) Silos for the Dept. of Public Works' Asphalt Plant, for storing asphalt the plant is increasing the total allocation by \$25,575.00. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 783 Resolution accepting certain property for a traffic signal pole and foundation located on the northwestern corner of Darragh Street at Terrace in the 8th Ward, 8th District, City of Pittsburgh. This request is made by the University of Pittsburgh that due to the new signalization project is required for the new Towerview Parking Garage.

Also,

No. 784 Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a telephone and electrical conduit on a portion of the right-of-way of South Dithridge Street and Henry Street in the 7th Ward, 8th District of the City of Pittsburgh. This request is made by the University of Pittsburgh that due to the opening of the new annex the telephone and electrical conduit will tie these two buildings together.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 785 Resolution providing for the issuance of a warrant or warrants in the amount of \$539.49 for payment to Ozalid Corporation for emergency repair to the Ozalid 715D Map Reproducing machine, payable from the Operating Budget, Code Account 1103 (1990 Operating Budget), Department of City Planning.

Also,

No. 786 Resolution providing for the issuance of a warrant or warrants in the amount of \$1,830.00 for payment to Cole Publications, for necessary census data on diskettes, payable

from Code Account 1104, (1990 Operating Budget), Department of City Planning.

Which were read and referred to the Committee on Finance.

Michelle Madoff presented

No. 787 Resolution transferring the amount of \$29,000.00 from Code Account 46, Judgments, to Code Account 1103, Misc. Services, Dept. of City Planning.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Also,

No. 788 Resolution providing for an Agreement or Agreements with the Westside Community Development Corporation for professional services relative to the development of a Commercial Service Center in Broadhead Manor Public Housing, at a cost not to exceed \$29,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday. **Mr. Regan** seconded the motion.

Which motion prevailed.

Also,

No. 789 An Ordinance supplementing and amending the Pittsburgh Code, Title Six, "Conduct", Article I, "Regulated Rights and Actions", Chapter 601, "Public Order", by prohibiting the distribution or sale of cigarettes and other tobacco products through vending machines, with certain exceptions, and by providing penalties for the violation thereof.

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Public Safety.

Mr. Milliones presented

No. 790 Resolution transferring the sum of \$20,000.00 from Code Account 1046, Index Code 104604, Salaries & Wages, Office of the City Controller, to Code Account 1046-1, Index Code 10412, Premium Pay, Office of the City Controller. This transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1990.

Also,

No. 791 Resolution transferring the sum of \$10,000.00 from Code Account 1046, Index Code 104604, Salaries & Wages, Office of the City Controller, to Code Account 1052-9, Index Code 105296, Workers' Compensation, Office of the City Controller. The transfer will provide sufficient funds to cover current and future expenditures for the remainder of 1990.

Also,

No. 792 Resolution amending Res. No. 450, Item B, eff. April 30, 1990, which authorized the sale of 2427-2429 Wylie Avenue, 5th Ward, Block 10-G, Lots 29 and 30, consisting of a two story, frame and brick house together with an adjoining vacant lot, to Carol M. Houston, for the sum of \$850.00. The reason

for the above amendment is to reduce the selling price to \$700.00 as the Bureau of Building Inspection has deemed it necessary to raze the structure and the buyer is willing to continue with the sale as a vacant lot at the reduce price.

Also,

No. 793 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 794 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase a computerized mapping and geographic information system (PAGIS) for the Bureau of Police at a cost not to exceed \$46,000.00, chargeable to and payable from Code Account (DMAP), Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on General Services.

The Chair presented

No. 795 Petition from the residents of the City of Pittsburgh requesting a public hearing to discuss the degradation of a City neighborhood caused by the abandoned property located at 3211-3211 Huxley Street, managed by Coastal Realty.

Which was read, received filed.

UNFINISHED BUSINESS

The Chair presents

No. 728 Resolution appointing John A. Zottola, to the City Planning Commission for a term effective immediately and to expire December 31, 1993.

Which was read.

Also,

No. 729 Resolution appointing John A. Zottola, to the Board of Adjustment for a term effective immediately and to expire December 31, 1990.

Which was read.

Mr. Ferlo:

Yes, Mr. President, I want to ask for my comments to be brought forward since Mike Perry always rolls his eyes and is worried about that. I think that it is important that we show some support for this gentleman, I was very impressed with his interview, I thought we got into a lot of questions and answers about the role and the board of adjustment and the role the zoning plays in our City and I think we've got into some good discussion on concerns that many of us have on Council regarding the Planning Commission.

Mr. Zottola seems to be young and energetic. I had hoped that there would be somebody coming from the Administration nominated who had more background in zoning matters, but after interviewing the gentleman, I think its again another great appointment made by the Mayor.

I was certainly pleased when the Mayor appointed Miss Miskovich, to the Housing

Court. I think that's one of her best appointments to date. I am beginning to believe very strongly that Mr. Zottola's appointment is maybe her second best appointment, to the board and to the Planning Commission.

The commitment that I understood from Mr. Zottola is that he would be willing to review the administration of the Board of Adjustment itself. Many of us have raised the concern about the board moving more quickly and expeditiously to conclude its work on pending cases, some decisions take many, many months. Some of us have raised the issue of the board possibly meeting more than once a week.

I think it's harmful when individual residents, and/or small business people have to sit there eight, nine, ten hours. I think the work there can be better organized and Mr. Zottola, I think is appreciative of that problem and he seems willing and committed to reviewing that.

He seemed very clear about the issue of due process and citizen input. I think he very clearly stated that anybody who comes into that hearing room will get a full hearing and be allowed to speak, whether it be a formal neighborhood organization or an individual citizen who wants to come down there and participate in the proceedings. I have confidence that he'll be extremely fair, reasonable and will allow input from all those who have an issue to express.

Since he is not only going to be the Chair of the Board of Adjustment, but by virtue of that will also now be on the Planning Commission. I was glad to hear that he is concerned about the Planning Commission and the role of development in our City.

I think he'll be an independent voice on the Planning Commission. I think he represents some new blood on the Planning Commission, which I think that we need very badly and I hope

that the Mayor will be able to make some new appointments to the Planning Commission, because I think there are some that need to come off the Planning Commission. Their tenure is up.

So for those reasons and several others I look forward to Mr. Zottola serving our City well on the board as well as the Planning Commission. I want to thank the Mayor for this appointment.

Mr. Cohen:

Thank you Mr. President. I said last Wednesday that John Zottola is a blank slate when it comes to zoning matters, because of his sparse experience in zoning and I still think he is in many ways a blank slate, but his resume is very impressive and I thought that he and I had a good discussion as well last Wednesday. I thought that his answers reflected a realization of the balancing act that is necessary, both as Chairman of the Zoning Board but also as a member of the Planning Commission which is the balancing act between positive development on the one hand, and protecting the interest of our neighborhoods on the other.

From his answers, I too believe that he'll be fair and that he will weigh the opinions of every citizen who comes before the Zoning Board or Planning Commission.

Mr. Zottola made some commitments last Wednesday, commitments reflecting the need to give strong weight to people from the neighborhoods, the neighborhood groups, but every citizen from the neighborhoods, because it's really those people that ought to determine the direction of the neighborhoods. The people who live there. The people who have to see changes in their neighborhoods every day, and I will be voting for Mr. Zottola because of his answers and also with the hope and expectation

that he fulfills his commitments.

I also would like my comments from last Wednesday to be brought forward. Sorry Mike.

The Chair:

Any other comments on either the two appointments for Mr. Zottola?

Michelle Madoff:

I believe this is an outstanding appointment. I don't recall when anyone has handled themselves that well other than perhaps Deborah Miskovich at this table.

I believe that we are getting an outstanding person as a credit to the Administration that they would propose somebody with this background and credentials, and again I will be delighted to vote for the person and would love to have my comments, because I only had very brief comment the other day brought forward.

The Chair:

Thank you, I also would like my comments brought forward for the record.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Michelle Madoff
Mr. Regan
Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointments were approved.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON THE APPOINTMENT OF JOHN ZOTTOLA)

Mr. Ferlo:

First of all, congratulations on your appointment. Hopefully you will be more successful than the last two appointments to the Board of Water Assessors.

I read your resume very briefly. I guess generally I would have a series of questions, and I will try to be brief, because I am sure other Councilmembers have questions.

What type of law do you practice and do you work in a firm or are you an individual practitioner?

Mr. Zottola:

Currently I am working in a 12 member law firm, and we have a varied practice at the present time which includes insurance defense work as well as plaintiff's work, which varies from the toxic tort litigation to other types of insurance defense, which includes coal mine work as well as automobile accidents.

Mr. Ferlo:

What is the name of that firm?

Mr. Zottola:

Robb, Leonard and Mulvihill, located at 2300 One Mellon Bank Center.

Mr. Ferlo:

Has the firm or yourself ever been involved or before the Board of Adjustment?

Mr. Zottola:

No, they haven't.

Mr. Ferlo:

Generally speaking, you as an individual attorney have not appeared before the Board to argue on behalf of the client?

Mr. Zottola:

The firm hasn't -- other members of the firm haven't. I have practiced before the Board, but there were occasions prior to my joining the firm and after I joined the firm, but they don't have a specialized practice that brings them before the Board.

Mr. Ferlo:

As an individual attorney you have been before the Board in the past?

Mr. Zottola:

Yes, I have.

Mr. Ferlo:

Could you generally give us an idea of what kind of clients you represented?

Mr. Zottola:

I represented individual homeowners that were seeking variances for the homes and property that they owned. That was the extent.

Mr. Ferlo:

You represented individual property owners?

Mr. Zottola:

Yes.

Mr. Ferlo:

Since you have been before the Board, I think many of us on Council have been before the Board to speak on behalf of a property owner because of some development issue of one thing or another. The Board, at least under the leadership of Miss Miskovich, took on a different kind of life of its own. I don't know how you feel about this, but one of the things I have been concerned about for the last couple of years is the Board's method of conducting the meetings; it is such, as you know as an attorney, we could go in at 10:00 o'clock in the morning and still be there arguing your case at 4:00 o'clock in the afternoon; I have been there many times when I spoke on behalf of a neighborhood group and we were schedule for 1:00 o'clock. I once spoke at 10:45 in the evening. I don't mind that because I am on the public payroll and that is my job, but I picture alot of individual property owners and alot of small business people, I don't know how they can deal with that kind of an agenda.

I am wondering, do you have any viewpoint on that and do you share that concern? And one of the things I am concerned about is the Board possibly meeting twice a week as opposed to just once. Do you have any experience in that regard?

Mr. Zottola:

Yes, I do. I think it is, as has been expressed, a very real concern and I would make every effort to pare down the hearings, as well as pare down, perhaps, the amount of time between the date of a hearing and receipt of the decision. I think there are ways dealing with the rules of evidence and dealing with the rules that are found on the Zoning Board that you can give individuals the opportunity to speak and present their views before the Board, but also keep the hearings at a pace that doesn't inconvenience to a large degree the other individuals that are waiting for the next hearing. Although it is hard to predict before a hearing how many people are going to speak, there are ways in which you can have the representative viewpoint stated and not have what may be unduly, repetitious testimony if it is going to be of the same nature as has been previously stated. So I think I can do that.

Also, I think that if I am approved and if I am confirmed, I think that if the hearings do go on as you described, that if a second day does become necessary, it is something that I would be receptive to, to make sure that all the interests and all the people that would want to speak would have that opportunity. And if a second day requires that, I am amenable to that.

Mr. Ferlo:

Have you declared any specific real estate interests or do you work for any developers in your role as an attorney?

Mr. Zottola:

I don't work for developers as an attorney. I am a homeowner, I own a piece of property with a family member, and that is the extent of the property I own.

Mr. Ferlo:

You don't represent any formal development groups? Which is not necessarily a bad thing, by the way, I just wanted to know if you do and if you did.

Mr. Zottola:

No, our firm actually doesn't.

Mr. Ferlo:

Do you have any general philosophy you could share with Council on the Municipal Code as it relates to zoning? Is there generally a viewpoint you would express regarding zoning laws?

Mr. Zottola:

I think the zoning laws were enacted to provide for the benefit of the neighborhoods and are provided to protect the neighborhoods and not cause problems or cause situations where if you have a detrimental impact on a neighborhood, and the zoning laws are there to keep the integrity of the neighborhoods and keep the integrity of our city, but also be consistent with the improvements that need to take place. And that is a philosophy that I have, in the limited time I have had to review that.

Mr. Ferlo:

You are aware, certainly, then, that oftentimes the Board is seen in controversy because you have many strong viewpoints, especially the presence of viable neighborhood organizations who may be lobbying or advocating a particular issue before the Board. There are oftentimes conflict in development agendas, which I am sure you witness at the Board level.

You mentioned earlier the need to expedite the hearing processing. I hope that in no way would indicate that in expediting that process you would limit the ability of any community person, or resident or citizen to present the information to the Board. As you know, many people come to the Board meetings who do not have an attorney, or are just basically an average individual, and sometimes that setting -- because it is almost like a courtroom kind of setting -- can be intimidating to the average person. I just want to know if you have any views on that in terms of the format of the hearing process itself, in terms of community groups and/or individual residents speaking to the Board.

Mr. Zottola:

It is my understanding, as you have described, that often the zoning issues can be emotionally charged issues or emotionally charged settings. I have had experience in dealing with individuals and issues and emotionally charged settings. A large part of my work in the District Attorney's office before I moved on to the law firm where I am currently practicing involved emotionally charged issues, and it involved people that were in very dramatic situations. And what I felt I was able to do effectively was: One, give these people a semblance of understanding in a system that appeared at first to them to be very confusing; two, be able to deal with individuals in that type of situation. And I think I would strive to do that if I would be confirmed, and give them the opportunity to present their viewpoint before the Zoning Board as well as explaining to them the procedure of the Zoning Board if at some times there appears to be a misunderstanding of what they say and what they are permitted to say. Secondly, I think the input from community groups is very welcome by the Zoning Board. I think

input from any source of the community is what you need on the Board, because those are the people that are most affected and those are the people you are looking for input.

Mr. Ferlo:

Do you serve on any board of directors on any nonprofit groups or do you volunteer any of your time for any -- are you involved in any extracurricular activities other than your law practice and your family?

Mr. Zottola:

I do not serve on the board of any type of authority.

Mr. Ferlo:

Thank you, sir.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. COHEN'S COMMENTS ON THE APPOINTMENT OF JOHN ZOTTOLA)

Mr. Cohen:

Good afternoon, Mr. Zottola. I also want to congratulate you on your nomination. As you know, it is a very important position you are being nominated for. You really have, if you are confirmed, the power to make a major contribution in shaping neighborhoods for a long time, potentially.

Because your resume is rather sparse when it comes to zoning laws, I have a few questions for you, also. You are really kind of a blank slate right now, so I need to ask you a few.

In terms of your current practice, you mentioned toxic tort law, I think, and some other things. Is that what you are practicing now, is it defense work in toxic tort cases?

Mr. Zottola:

We do practice defense work in toxic tort cases, as well as defense work in other types of law, and plaintiff's work, also.

Mr. Cohen:

How about you personally right now?

Mr. Zottola:

I do all of the above. I have some cases involving the defensive toxic tort litigation as well as plaintiff's cases and other general aspects of the law, general type of cases.

Mr. Cohen:

About how many times have you appeared before the Zoning Board? I think you said to Councilman Ferlo that you had a couple cases before them. But have you personally appeared before the Zoning Board?

Mr. Zottola:

I appeared before the Zoning Board a handful of times in terms of being an attorney. I also appeared before the Zoning Board as a witness in a matter, also.

Mr. Cohen:

Can you describe broadly what that matter was?

Mr. Zottola:

I was requested, I think it was two or three years back. The Pittsburgh Action Against Rape group had petitioned for their office being moved to Highland Park, and they had

requested that I serve as a witness on their behalf in terms of -- in effect, as an expert witness with regards to some areas involving child sexual assault, sexual assault cases, perpetrators and things to alleviate some of the questions or concerns that some of the neighbors had. I did serve as a witness before the Zoning Board. I think it was almost three years ago when I was in the District Attorney's office.

Mr. Cohen:

Was it the Pittsburgh Action Against Rape that asked you to serve as an expert witness?

Mr. Zottola:

Yes.

Mr. Cohen:

Let me ask you some general questions under the Zoning Code first about parking. As you know, a commercial activity has to provide for off-street parking under the Zoning Code in order to get a zoning permit. I am interested in knowing what factors you would take into account in determining whether there should be a variance from that zoning requirement.

Mr. Zottola:

Well, the factors that -- I would have to look at all the circumstances before me on each individual case, but I would consider the neighborhood, the traffic patterns that are involved in the neighborhood, whether the neighborhood is a residential neighborhood located near schools, things that would affect the traffic flow and things that would affect the availability of parking. I would examine whether there are large commercial facilities located nearby that take up alot of the parking spaces and determine how that would affect the granting of a variance for a few more spaces.

Mr. Cohen:

How much would you take into account the views of neighborhood groups that live in the area and have to really deal with the parking problem on a daily basis?

Mr. Zottola:

I think the views of neighborhood groups would be very helpful, their input would be very helpful. They are the people that live there and they know best circumstances and the problems that affect the neighborhood, as well as the benefits from what will be taking place in the neighborhood. Ultimately I would follow the law, but I would weigh that into my decision,

consideration.

Mr. Cohen:

That gets me into a question that really is a follow-up on Councilman Ferlo's question, about there is an inherent inequality, it seems to me, that exists before the Zoning Board, where sometimes we have developers pitted against neighborhood groups, and the developers have high priced lawyers who have taken a long time to prepare long term plans, and the neighborhood groups who often don't have more than ten days or so notice have to come before the same Board.

Tell me how you would overcome that inherent inequality.

Mr. Zottola:

Well, actually I am not sure there would be an inherent inequality, in that when the facts that would be presented by both sides would be the facts that would affect the decision to be made. It would be the application of what would be told from the neighbors as opposed to the developers, and the application of the law that would form the basis of my decision. The fact that there may be ten individuals in favor of one type of change or one type of variance and one individual that would be opposed to it would not affect my decision, such as the same would go for the developers as opposed to the individuals.

When I practiced in the District Attorney's office, as I continue to practice, a judge will instruct the jury and it is something that I think will be helpful in this situation: You don't count the number of witnesses on each side, you count what they have to say. I think I would attempt to apply that into the law in my determinations or to my opinions, together with the other Board members.

Mr. Cohen:

You mentioned rules of evidence before. Would you apply strict rules of evidence in these cases?

Mr. Zottola:

I think the rules of evidence would be advisory and I would attempt to apply them for, I guess, the flow of the hearings, and I think the rules of evidence could make the hearings go faster, as Councilman Ferlo had indicate a concern, and I would apply them, but I wouldn't apply them strictly to deprive individuals of an opportunity to say what they have to say. There is some variance there.

Mr. Cohen:

That is my concern. I am glad to hear that you will decide on the merits of the case, which is great, but the fact of the

matter is that high priced attorneys are able to present a case that visually and otherwise seems to be better prepared, at least than the neighborhood groups have, because they don't have the money to hire high priced attorneys and very often don't have the time. Would that enter into your thinking, that process inequality, I don't mean inequality on the merits, but in the process?

Mr. Zottola:

I am sure that I would strive to weigh both sides equally. I have been on the other side working for the County, working for the citizens, where I would be the one attorney representing an individual in the case and the other side would come in with many attorneys, many people helping them, and I don't think that I was overwhelmed at that point and I don't think that I will be overwhelmed as an individual member of the Zoning Board by those factors.

Mr. Cohen:

Great, glad to hear it. I believe that the standard for determining whether to grant a variance is hardship. I am interested in what you would define as "hardship" in determining whether to grant a variance.

Mr. Zottola:

I think that I would suggest that maybe the factors -- I wouldn't judge a situation without having those facts before me.

Mr. Cohen:

Sure.

Mr. Zottola:

A hardship may be one thing in one set of circumstances and something different, depending on the factors, depending on all the facts. I couldn't judge it on an abstract.

Mr. Cohen:

Let me throw out a specific hypothetical to determine what the factors would be. Let's say an area was zoned "R-3" or "R-4" and somebody wanted to get a variance to allow for multiple units in a dwelling, and let's say on that street there were some other buildings that had occupancy permits for multiple unit dwellings. Let's say that the person before you has a building of seven units in that building now, and say there is only enough square footage for five units. What general factors would you take into account in determining whether or not to grant that person a variance?

Mr. Zottola:

I would take into consideration -- well, there are other factors that don't appear in your hypothetical concerning the parking, the number of spaces available for parking, concerning the neighborhood itself, concerning the feelings of the neighbors. There are so many factors that without having that situation before me, it would be difficult for me to answer.

Mr. Cohen:

That is great. That is what I want to know, what those would be, and I am glad to hear that you would take into account the neighbors, neighborhood groups and its affect on the neighborhood, because I think in my view that is perhaps the most important element.

If the person was an absentee landlord, would that enter into your consideration?

Mr. Zottola:

That is a factor. I would like to question that individual extensively concerning the reasons for the increase in the units, the circumstances involving their past involvement with the community and their community's feelings towards this individual as an land owner. Those would be very, very important factors.

I think that perhaps by people attending in opposition or in favor, that would handle those circumstances, but then we would still have a situation involving parking, involving the character of the neighborhood, and those would be other factors that I would take into consideration in your hypothetical.

Mr. Cohen:

Where the neighbors stand, right?

Mr. Zottola:

Yes.

Mr. Cohen:

Whether or not the building was maintained well or not, would that be a factor in your consideration?

Mr. Zottola:

Absolutely, yes.

Mr. Cohen:

If there were violations in that building, fire violations,

you already answered you would take that into consideration. Would you also report those violations to the appropriate agency? Say a building doesn't have a fire escape, for instance. Would you report that?

Mr. Zottola:

Not only do I feel I would be mandated by the position that I have, I think as an individual, if that was brought to my attention I would do that, also.

Mr. Cohen:

Okay. Great. Just a few more questions. What role do you think neighborhood groups should have in initiating zoning changes?

Mr. Zottola:

I think the neighborhood groups represent a segment or a recognizable segment of the community, and if they've elected their officials or elected particular segments of the neighborhood group to act as a zoning committee and this has been discussed and voted on, and this is the opinion that the neighborhood group has, I think the Zoning Board would welcome that input in terms of looking at a zoning change.

Again, after a full hearing and after having both sides in favor or in opposition and applying the law, only then would a decision be made. I would welcome the input of neighborhood groups.

Mr. Cohen:

It seems like there are a number of neighborhood groups that are engaging in initiating down zoning in their neighborhoods. I am wondering what your views are. Again, this is hypothetical and broad, I am not going to commit you to specifics, but what is your view as to the advantages and disadvantages of down zoning?

Mr. Zottola:

I think the advantages and disadvantages depend again on the particular situation you are looking at, and to apply an abstract, in some situations I could see positive reasons for the down zoning, and in other situations it would have a negative impact. I am not sure that without having the facts before me or without having the facts and the applicable law, that I could go into detail on that.

Mr. Cohen:

In many of these cases they pursue down zoning in order to

decrease density, in order to increase owner occupied family residents, to try to decrease the number of absentee landlords. Are you receptive to that type of movement if the neighborhood groups wanted to pursue that to obtain those objectives?

Mr. Zottola:

I think those objectives in neighborhoods if they could be obtained, are important, but I think also the providing of multi-family dwellings in neighborhoods is also important. I, again, would welcome input and would welcome that idea and I would look at the facts and circumstances and make my determination from there. I think it is a good objective, but perhaps an objective that may be unrealistic under certain circumstances in terms of having the individuals or the people to occupy those single family dwellings from multiple family dwellings.

Mr. Cohen:

Again, how much weight would you give to the neighborhood groups as to which way to go on that?

Mr. Zottola:

I think the input of the neighborhood groups is important, because they do represent a large segment or at least a noticeable or recognizable segment of the community and they voted on the issue. But on the other hand, you have individuals that would be coming in and maybe not part of that neighborhood group, and I would give the same weight to their viewpoint and take all those viewpoints and apply the law, and again, with the other members of the Board render a decision based on that.

Mr. Cohen:

I agree with you; it is a balancing act. I just want to make sure that the one side of the balancing act, which is neighborhood groups and what they see as the future of their neighborhood, is an import aspect in your decision.

Mr. Zottola:

It is.

Mr. Cohen:

I believe as head of the Zoning Board you would also participate as a member of the Planning Commission; is that right?

Mr. Zottola:

That is my understanding also, yes.

Mr. Cohen:

I am interested in how you see the Zoning Board interacting with the Planning Commission, since you would be, really, the link between the two.

Mr. Zottola:

The Planning Commission, which acts as an advisory board, interacts with the Zoning Board in terms of the Zoning Board enforcing or carrying out the goals or the ideas or the plans that the Commission has set forth. The Planning Commission would make recommendations, and if approved by Council, you would have the ordinances from which the Zoning Board as, in affect, the arm to carry forth those ordinances would be the agency or the group that would be dealing one or one with the people that are coming in, the individual homeowners or the development groups that are coming in and requesting the variance or requesting compliance or noncompliance with the variances that we have. So I think the two do interact, and I would strive to do my best to make sure there is a smooth interaction between the two of them.

Mr. Cohen:

Are there any changes that you foresee that you would like to try to initiate in the Planning Commission?

Mr. Zottola:

Without having been there yet, I couldn't comment on that.

Mr. Cohen:

Will you actively participate in the Planning Commission capital budget hearings?

Mr. Zottola:

I am not sure what my role will be with the Planning Commission. If that is an area that is available to me, I will actively participate in as many areas that I can with the Planning Commission and obviously with the Zoning Board.

(End of remarks)

(Transcribed by Helen L. Kriebel)

(MICHELLE MADOFF'S COMMENTS ON THE APPOINTMENT OF JOHN ZOTTOLA)

Michelle Madoff:

You were asked whether there is any role you would pursue, and perhaps one you are not aware of, but I would urge you to pursue immediately with the Administration, as we are getting into the hot summer months and I have been at a zoning hearing several times and had to cancel it, people couldn't get in; it was too hot. Jack and I were there. I want to make sure you have the facilities that people can feel comfortable, reasonably comfortable, can hear and have room and access. That is something you might want to take up immediately with the Administration. I found it is not a role Council can play. You may want to pursue that; speakers, so people can hear and so on.

I'm glad you mentioned the point that you and your other members -- and for a minute, I thought everyone thought you were the only one making a decision. You really basically chair the meeting, you only have one vote. If there is a tie, your vote means no more or less than anyone else's?

Mr. Zottola:

That is correct.

Michelle Madoff:

Have you been to the Zoning Board when Deborah Miskovitch was chairing?

Mr. Zottola:

Yes, I have.

Michelle Madoff:

Do you agree she is one of the best and toughest and the fairest?

Mr. Zottola:

Yes, she is.

Michelle Madoff:

Will you carry on that tradition?

Mr. Zottola:

I will do my best.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. WAGNER'S COMMENTS ON THE APPOINTMENT OF JOHN ZOTTOLA)

Mr. Wagner:

Mr. Zottola, good afternoon. I also looked at your resume. I think you are qualified for the position.

My concerns relate as much towards the Planning Commission as they do the Board of Adjustment, and what I am asking you for today is a commitment to look at the process and determine how we can better expedite the process in terms of laying out a road map for people that must go through the process with potential developments or cases of any type that come in front of both the Planning Commission and the Zoning Board. I see you as being a key player because you are on both, and you will ultimately be the Chairman of the one. But I have great concern and I know some of my colleagues do that potential developments in this city kind of lag behind without giving people a road map as to what they need to do within the bureaucracy of government to move a project forward or what must happen in order for people to determine that a project is not a project that should move forward. So what I am asking you and what I would like you to do is to look at the process as being the Chairman of the one group and a member of the Planning Commission and try to analyze it better so it better serves all the people of the City of Pittsburgh.

Would you like to comment in regard to that?

Mr. Zottola:

Yes, I would. I think that I would make as one of my goals to go through and examine the process and strive to make every effort in terms of making it clear to all individuals what the particular process is and what has to be done. And also in line with what I had indicated previously, I would make every effort to make it clear to individuals with as short a period of time as possible in rendering decisions whether or not they would be able to go forward or not go forward with development. I think that at this point, as you have indicated, there may be a need for a little clearer path or need for some more rules in laying that ground work. I will do that, I will look into that process, and if the rules are not there, set forth what rules will spell out or make it easier for an individual to know what they have to do and also to inform them, once they appear before the Zoning Board, in a shorter period of time what the zoning Board's decision would be regarding their particular development. Obviously some cases would be complicated and take a longer period of time, but I would strive to make every effort to clarify that road as well as pare down the amount of time that the decisions take.

Mr. Wagner:

Okay. Well, I have not seen serious problems in the Zoning

Board in terms of time involved in the process except for the meetings themselves and occasionally an opinion coming out as a result of those meetings and the decisions. Obviously, I would ask you to look at that and analyze it and to try to improve it as much as possible.

But what I want you to do, also, is be an active participant in the Planning Commission to analyze that process also, in that to see a project move forward in the city, obviously it needs proper approvals by the Planning Commission, sometimes the Zoning Board of Adjustment, sometimes the Planning Department, sometimes this Council. And the bureaucracy involved to get something moving is unbelievable; sometimes it takes literally years when it should take months, or it should simply take months to tell the proper people that, "This is not a viable project, doesn't fit within the framework of what we want to see happen in the City of Pittsburgh."

All I am asking you is to be an active participant in analyzing the process, improving the process to make it run smoother, to lay out a better road map for all participants in the process.

Mr. Zottola:

I will make that one of my goals.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

REPORTS OF COMMITTEES

Michelle Madoff for Mr. Milliones presented

Bill No. 796

Report of the Committee on Finance for May 16, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 694

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title 1 - Administrative, Article VII - Procedures - Chapter 161 - Contracts - by amending Section 161.05 and adding a new section entitled, 'Estimated Cost; Construction Contracts and Professional Services Contracts for Engineers and Architects' and 'Capital Budget' and to provide procedures to ensure the confidentiality of that amount."

---(SPONSORED BY MICHELLE MADOFF)

Which was read.

Michelle Madoff:

Mr. President and Members of Council, I move to amend Bill No. 694 by substitution. Everybody had a copy yesterday. The amendments are shown by underscoring under Section 161.23, authorization by Council as Section 161.24.

Mr. Coyne seconded the motion.

Michelle Madoff:

Basically, as I stated when we voted the

other day the change is to accomodate the Administration. If I had my preference I would like to have just one total sum in the capital budget for all capital improvements for the year. But, because there may be a problem with bidders, contractors who need to know whether they fall within a certain range, we're putting in a range. In other words as you look at your bill the back page gives you some idea of how the range might be achieved or accomplished or proposed to contractors. There would not be a specific figure but the capital budget would list the items and would have a range beside the item. So that anyone bidding would know whether they could indeed handle it by virtue of being able to obtain a bond.

The success of this bill which is designed, you know I've been working on it for three years at least, will go along way to improving the performance of Engineering and Construction, and essentially stopping the giveaway's by eliminating the not to exceed number. We'll no longer say, we've got this money come and get us.

But, it would be imperative that Engineering and Construction improve the process in which they determine specific numbers so that when they go out for example, they go on a contract and the range is a million to three million, let's say that in-house is it determined that it's a million-two, they really need to research and find out by checking on the cost of materials, time of delivery, allowing for a reasonable profit, and allowing for labor come up with a reasonable as opposed to -- even if they have that number, which I believe they have not had to date, not advertising that number because from time to time and the time I've been here contractors will bid very low, even below what we are prepared to spend on a realistic cost, because they want to keep their personnel together, their engineers, their carpenters, their laborers, and they need that work to carry them over a slow

season.

So, why should we advertise publicly the not to exceed number say a million-two, even if that is a real figure, because they may do it \$900,000 or \$800,000 because of their own personal needs.

I'd like to share with Council some information. I have been working with a number of people in the private sector and I received and article that talks about and I believe I distributed it to everybody. The VA seeks to curb overruns and they talk about exactly the same problems that we have in the City and they're having the same problems. They're overruns are estimated at \$28.3 of overruns stemming from inaccurate estimating.

The department also said it has undertaken more aggressive supervisory of architectural engineers and contractors and is requiring that design documents be submitted at a higher level of completeness and competence.

The VA is also reviewing its in-house estimating and may study the role of a cost consultant, which is what I've been asking for a cost engineer, retained by their construction people.

It is improved the screening of their engineering and construction people giving more weight to firms that have proven they can do cost effective designs without budget limitations.

So, they're having it -- and its not unusual for our City to have this kind of problem we're all striving to improve, but giving the number away, we spoke the dollar figure the not to exceed number away, I'll give you the exact comment by Mr. Lofflin, VA Hospitals, who's their Chief Materials Acquisition, also Senior Contract Officer for the federal government, and this is his words, "no, no" not to exceed -- you never publish your number, not to exceed,

you give a range. We would never recommend publishing the not to exceed figure.

So, I think that I'm not alone in my comments. You know, folks; nobody's perfect including me and you get nothing done alone so I can't pass this bill without you and I urge you to support it.

But, I don't think this is the last time we're going to look at this. I'm going to be monitoring those contracts. I'm going to be checking them myself. I urge others who are concerned to support me, and we may find in a year or six months that we want to amend this bill in some way to improve it, and I would like to mention that I was sort of non-plus to hear the director who incidentally is very supportive of this legislation so on the positive side he is supportive, but on the negative side coming to this Council and talking about a study that was done that shows that we only went a very small percentage on the overall contract of one percent. Well, when you're giving away \$3 million when you maybe you only have to give \$2 million. We should not even be going one percent over when we're estimating the cost over the actual realistic figures.

I think I've addressed all the concerns that Council has raised and I don't of any other, and I hope that this is really not a change from last week it is only a range put in opposite the figures.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 691

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$8,985.28 in payment of railroad flagging expenses incurred during the Reconstruction of the Larimer Avenue Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Bill No. 695

A Resolution entitled, "Resolution transferring \$65,000.00 from Code Account 1926 (192609), Non-City Water to Code Account 1985 (198507), Equipment, Distribution Division."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

"The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Bill No. 696

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$1,000.00, in payment for professional consulting services rendered to Jake Millions."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 697

A Resolution entitled, "Resolution providing for the issuance of a \$1,781.26 warrant in favor of Frank Chambers Jr. and Elizabeth Chambers in settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 698

A Resolution entitled, "Resolution providing for the issuance of a \$1,901.35 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 699

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$15,072.18 in favor of Lobel, Winthrop & Broker, Brinderson Plaza-Tower 1-Suite 1100, 19800 MacArthur Boulevard, P.O. Box 19588, Irvine, CA 92713 for legal services rendered to the City of Pittsburgh in conjunction with John

Robert Torquato, Jr., Debtor; City of Pittsburgh, Movant v. John Robert Torquate, Jr., Respondent, filed in the United States Bankruptcy Court for the Central District of California at No. SA89-05008 Jr."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 700

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1059 of 1989, effective January 1, 1990, as amended by resolution No. 200 of 1990 entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1990 by making certain additions and

corrections."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

Also,

Bill No. 701

A Resolution entitled, "Resolution amending and supplementing Res. No. 1060 of 1989, effective January 1, 1990 as amended by Res. No. 201 of 1990 entitled: 'Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of Compensation levels thereof and setting minimum levels for designated positions by making certain additions and corrections.'"

Which was read.

Mr. Ferlo:

Mr. President, on Bill 700 and 701, the companion bills regarding the readjustment of the budget to deal with the issue of additional

revenues that are needed for or as the Administration would call it the arbitration award for the police.

I strenuously object to Bill 701 and I urge all my colleagues to vote no on this bill, because it will be a significant and a major retreat by this legislative branch of government in City Council on a very important issue, and that fundamental issue is, what is the number of police officers that are needed to provide some proper level of coverage in the various zones around the City of Pittsburgh.

If we vote in favor of Bill 701 we are basically voting on favor of reducing the budgeted figure of police officers from 1,200 downward to 1,175. It's taken this Council at least five years, as well as a change in Administration's and a Mayoral promise, and a Mayoral election to bring that figure up to 1,200.

I said at the time skeptically that I'll believe it when I see it. I was hoping that I was wrong. Apparently, I'm not wrong. I'm right. I think this figure was never attended to be achieved regardless of the arbitration award received most recently by the bargaining arm the F.O.P. for the police officers.

I think all of us were quite aware both in the firefighters award of five percent and above the other negotiating agreements that part of the reality of running the City government are arbitration awards and you can argue about nine percent being to high versus five percent or three percent, but its the cost of maintaining the operations in City government. Every other year we're going to have to reconsider and realign and decide what our priorities are regardless of the nine percent award in regards to the police contract.

I think its a major mistake for this Council to renig on a commitment. I ran for public of-

fice on that commitment of the 1,200, and I think others here also ran on that commitment.

Reversing that commitment today is a terrible mistake and I don't think we should do it. I think as a City Council its our budget and I think we should look at other areas in the overall operating budget to cut if we need to, but I don't think we should reduce the number of police officers that we've made a commitment to in terms of achieving a goal of the 1,200.

We may not actually achieve the 1,200. I don't think we'll achieve the 1,200 even if we kept it in just because of the mechanics of the process of the recruitment and the training period of time, and the timetable, and the chronology of events that take place before we actually put people out into the streets as full fledged police officers.

But, reducing it automatically precludes us from even achieving that stated goal, and I don't think we need a study and to spend a lot of money to decide what the number should be. I think very clearly all of us who are out in the community everyday as is the case with each one the members of Council here, and especially those who have attended Block Watch meetings and various kinds of neighborhood meetings dealing with problems of lack of police protection and police response, know's that even the 1,200 is not the right figure.

In voting on this today, if we vote possibly for 701 we're automatically reducing the number of officers from 1,200 down to 1,175, and I think that's a terrible mistake. I think it reflects the wrong priorities on the part of City Council. I think our priorities should be to beef up the number of available police officers, and decide if need be that it has to be at the expense of something else.

I'm willing to say that I would rather

have police officers than white collar administrators in the Public Safety bureaucracy, and I'm saying as a priority we should leave the 1,200 figure and if we have to cut let's cut some of the white collar administration or the bureaucracy of the Public Safety Department.

I think that's what a majority of the citizens want. I think that's what the Mayor ran on as a political pledge and a campaign pledge, and I think it's disastrous voting in favor of this bill today. I think we're sending the wrong message and reflecting the wrong priorities for the Public Safety Department.

Secondly, I think the Administration needs to reevaluate its relationship and love affair with Mr. Schneider whose the labor negotiator who I think is partly to blame for the mess that we're in today. Why they maintain this relationship with this gentleman who has basically been musical chairs in the Administration, one time he's the head of the Civil Service Commission, the next time he's back negotiating. Now, its my understanding although I don't know that its come to Council for approval that we are actually engaging him as an outside consultant in a law firm to do arbitration.

It's a terrible mistake. We should sever our ties and relationship with this individual who is not liked. He's not liked by the people that he represents. He's not liked by any arbitrator, and he's not good business for the City, and why the Administration maintains this love affair with this individual is beyond my understanding. I think the Administration needs to reevaluate its relationship with Mr. Schneider. Not only as it relates to his involvement in police, fire and paramedics, but also it's my understanding he's involved in negotiations currently with the Environmental Service workers.

I think the Administration better take a hard look at its negotiating relationships and its

relationship with this individual.

In closing I strongly urge that we vote no on Bill 701. I think it's a terrible mistake to reduce the commitment of this Council to the number of available police officers, and I think we should maintain that commitment to the people.

Michelle Madoff:

While I share the concerns of my colleague Mr. Ferlo, and having been here a little bit longer I don't remember a year and I think Mike will confirm this that at budget time or during the year the issue of inadequate numbers police has not come up, and I agree that in the community there will never will be enough police, and I've been one of the strongest proponents. I've even suggested a tax where the money would go just for police officers over the year when I've done an audited the budget.

But, in the real world this is the first Administration and this not a critique, particularly its a matter of style more than what I'm about to say, but this is an honest budget. When you say that you're going to budget for 1,175 as opposed to 1,200 an actually put the money in to do it, it's a far cry from when we used to put numbers in, we all voted on the numbers but there was never money to hire them.

It's deceptive. It's dishonest. We're misleading the public when we say we're not going to vote for the specific number which is funded. It deceives the public. It gives a wrong impression and it says well we changed it now we're going to have 1,200 police and we couldn't.

Further, even if we were to somehow find the money for the additional police we couldn't put them on between now and the end of the year, and we're approaching budget time. At that time we ought to look very hard at the bud-

get and try to find money to upgrade the numbers to change from 1,175 to 1,200 in next year, and that would be a more realistic approach.

I think we all share the same concerns. As a matter of fact, I am sure the Administration, they even said so, shares the same concerns. They don't want to cut back to 1,175, but you can't buy bread and milk if you don't have the money. And, somewhere perhaps in Council next year we can look for the money. There isn't enough time to put a class on in addition to what we have, and I repeat this is an honest reflection of what we're going to have; and I don't think anybody who has been around government any length of time doubts for one minute with the attrition that we're ever going to have the component that we say we're going to have. It just doesn't happen. You don't know who's going to retire for whatever reason. But, we're coming closer to what we say for the first time in the 12 years that I've been here.

Mr. Regan:

Mr. President, I'd just like to state and I'd like to add this to the comments I've already heard, that there's not a neighborhood that I go into and there's no area in the City of Pittsburgh that isn't lacking for police officers.

Although, I admire the Administration and all the moves that they've made, I think the Mayor's done a terrific job, but I do think we need more police officers. We just have to get the money somewhere.

Michelle Madoff:

We all agree on that.

Mr. Ferlo:

Mr. Chairman, Michelle's point is well taken. The difference I have with that comment

is I mean for many years there was an irreconcilable difference between Council who always wanted more police and budgeted for it, and an Administration who said regardless of whether Council budgets it we're not going to perform, we're not going to fill it.

The difference here is that the Administration has made a commitment even before the re-election of the Mayor to her new term. The commitment was outstanding that we are actually now both Council and the Administration is now committed to this 1,200 figure.

And, what I'm saying is that it's time for Council for to bite the bullet and reassess its priorities. I say we stick to that 1,200. We don't expect Bill 701 as written and we realign other things that are less priority. I think there are other positions in the budget that are less priority to me then achieving the goal of the 1,200 police officers.

I'm saying it's time for Council to set the pace. Council to bite the bullet and determine the priorities. I think the priorities should be the 1,200 officers even if its at the expense of other positions in the Public Safety budget or other administrative level postions throughout the City.

I'm saying that that's where our priorities should be. And, that's the difference that we have now. It's a different scenario than the traditional decade long debates between the Administration and Council.

We've finally reached a commitment of an Administration who said we wanted the 1,200. I'm saying that its not of any less value or priority now. The problem is the money situation and I'm saying lets not change our priorities, let's change the priority base of where the money should come from, and let's maintain our pledge to try to achieve that goal to 1,200 officer.

The Chair:

I think the discussion on these bills is healthy. No matter what is said by Council pro or con I am of the position that a good Police Bureau within Public Safety is dependent upon good hiring procedures, good promotion procedures, and good management, even more so than the numbers.

My concerns have been along those lines all along and still are today. Hopefully, they will improve in the future.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES 2

VOTING NO:

Mr. Ferlo
Mr. Regan

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 703

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of May, 1990."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 704

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sea World, Inc., in the amount of Five Hundred Fifty Dollars (\$550.00) in payment for the purchase of birds for The Pittsburgh Zoo furnished for the benefit of the City without previous authority of

law; and providing for the payment thereof."

Which was read.

Michelle Madoff:

I vote no on Bill 704, 705 and 707, and my reason as you know is that the City can no longer pick up all the debt service for the Zoo. The non-city residents are going to have to pick up some. I vote no consistently.

Also,

Bill No. 705

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of The Greenville Zoo, in the amount of Eight Hundred Thirty Seven Dollars (\$837.00) in payment for the purchase of an animal for The Pittsburgh Zoo furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 706

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of The Pittsburgh Hilton Hotel, in the amount of Eleven Thousand Eight Hundred Eighty Nine Dollars and Five Cents (\$11,889.05), in payment for the 1990 Citiparks Senior Center Program Volunteer Gala, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes

of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 707

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Noyes Marine Life, in the amount of Eight Hundred Forty Four Dollars and Fifty Cents (\$844.50) in payment for the purchase of live coral for The Pittsburgh Zoo furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 708

A Resolution entitled, "Resolution transferring the aggregate amount of \$700,000.00 from various code accounts to Code Account SPP (254359), Special Parks Program the amount of \$75,000.00 and to Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$625,000.00 in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 709

A Resolution entitled, "Resolution authorizing the transfer of funds as invoices are submitted for the purchase of asphalt at a cost not to exceed One Hundred Thousand (\$100,000.00) Dollars from Code Account PR15, 3-10-10-0002-90, Index Code 810150, Asphalt Repairs, in the Department of Parks and Recreation to the Department of Public Works' Code Account AR, Asphalt Reimbursement Trust Fund, Index Code 250100."

Which was read.

Also,

Bill No. 762

A Resolution entitled, "Resolution providing for an agreement or agreements with an actuarial firm to provide actuarial services for the City of Pittsburgh for a period of three years and providing for the payment of the cost thereof subject to annual budget appropriations."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

"The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 797

Report of the Committee on Public Works for May 16, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 735

A Resolution entitled, "Resolution amending Resolution No. 481, effective June 23, 1987, entitled, 'Authorizing the Department of Public Works to sell reclaimed asphalt, presently stored at Heth Run (located at the rear of the Zoo parking lot).' Permission is requested to sell to the general public by the ton. All monies collected are to be deposited into the Asphalt

Reimbursement Trust Fund, Index Code 250100, by increasing the cost of the asphalt."

Which was read.

Also,

Bill No. 736

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Public Works to execute a long-term agreement with the Allegheny County Sanitary Authority and the Township of North Fayette to enlarge the area serviced by the Sanitary Authority to provide sewage treatment services for the above, located in the Township of North Fayette."

Which was read.

Also,

Bill No. 737

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Public Works to execute a long-term agreement with the Allegheny County Sanitary Authority, Oakdale Borough and Oakdale Municipal Authority, to enlarge the area serviced by the Sanitary Authority to provide sewage treatment services for the above, located in Oakdale Borough and for Oakdale Municipal Authority."

Which was read.

Also,

Bill No. 738

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Public Works to execute a long-term agreement with the Allegheny County Sanitary Authority

and McDonald Borough."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins:

In accordance with Section 322 of the Home Rule Charter and the publication effective date of legislation. I move that the effective date of Bills No. 736, 737, 738 shall be the date on which it shall be signed by the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Coyne presented

Bill No. 798

Report of the Committee on General Services for May 16, 1990 transmitting two resolutions to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 692

A Resolution entitled, "Resolution providing authorization to enter into a contract or contracts or into an agreement or agreements, or to use existing agreements or contracts, by the City of Pittsburgh with the Pennsylvania Energy Office for a grant in connection with the Pennsylvania Public Utility Commission Docket No. R-811470 Order Approving Fund Distribution to Refund Plan; providing for the execution of a Service Purchase contract; providing for required assurances; providing for the deposit of the funds in a bank account of a special Trust Fund; and upon approval thereof, for an agreement or agreements with a consultant or consultants for professional services and for entering into a contract or contracts, or for the use of existing contracts, for lighting services in conjunction therewith and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 761

A Resolution entitled, "Resolution that the Mayor and the Director of the Department of General Services, on behalf of the City of Pittsburgh, is hereby authorized to enter into a Lease Agreement or Agreements, approved by the City Solicitor, for the leasing of a City owned fire truck Model 1968, American LaFrance, to the Borough of Homestead."

Which was read.

Mr. Coyne moved that the effective date on Bill 761 be the date that is signed by the Mayor.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 799

Report of the Committee on Parks and Recreation for May 16, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 710

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed \$550,000.00, and shall be chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 711

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant for the purpose of providing for the design of a visitor evaluation tool and training to use the tool for the Pittsburgh Aviary. The total cost shall not exceed \$3,000.00, and shall be chargeable to and payable from Code Account ATF (250209) Aviary Trust Fund in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 800

Report of the Committee on Public Safety for May 16, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 702

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Special Events Cost Recovery Trust Fund (SECRTF), for the deposit of monies from special events, and authorizing the use of monies deposited therein by the Department of Public Safety to cover premium pay for Police Personnel only."

Which was read.

Mr. Ferlo:

I'm voting no on this bill and the reason is that I'm all in favor of the trust fund, but I think it's wrong that we do not have the actual schedule of these fees to vote on.

I thar's Council's prerogative and I think it's part of the trust fund legislation. There should be clear indication from the Administration as to what each event is paying and I think

that should be reviewed and debated, and evaluated by City Council. Until that's the case I will vote no.

Michelle Madoff:

I apologize to the President and members of Council. There's a piece of legislation introduced transferring the amount of \$29,000 from a Code Account to the Westside Community.

This is money that Council has --

Mr. Coyne:

Point of order, Mr. Chairman. The Councilwoman is interrupting discussion on one bill.

Michelle Madoff:

I thought they finished it. I'm sorry. I apologize.

The Chair:

That bill would have to come up at the end of the meeting.

I'd just like to state in response to Mr. Ferlo's comment. I've always been of the position that those fees have to be legislated, but I think this is just funneling the fees into a trust fund. Whatever the Administration has chosen as the fee structure without legislation.

Mr. Ferlo:

Mr. Chairman, I agree with you wholeheartedly but the fact that the matter is, let's get down to tactics and strategy here. The Administration's not going to involve us in this decision making process. If we vote in favor of this they have the trust fund, they legally have a way to

deposit the money and then they can expend it via a vis the director that's listed in the legislation.

My proposal is that we reject the creation of the trust fund until we have an agreement with the Administration that we're involved in a decision making process on what these fees should be.

By creating the trust fund today it's removed from Council and we'll never get it back before us as an issue.

So, I say vote no on the creation of the trust fund. Let the Administration come back with a companion piece of legislation that outlines specifically the events, what the requirements are on the part of the group, the obligations, what services are we providing, and I think we should evaluate that. I'm not saying that some of these groups shouldn't pay some fees. I'm saying that that should be something that Council evaluates and not just the Administration.

Michelle Madoff:

I respect my colleague and couldn't disagree with him more. I think this is one of the more productive pieces of legislation and after arguing about the fact that we want to have more police officers here is perhaps the way we will find them. This money will be funneled into a special trust fund so the money can perhaps be provided next year to increase our police force.

For example we have a group coming to the City now a musical group that created a great deal of problems for the police last year and each function that comes in the City needs different numbers of police. I don't think we can set a scale here today that's an administrative operation. They will determine based on previous experience what their departments needs. I don't

think it's up to us to make that decision. I think its a purview of the administration.

Here is a good piece of legislation. Why are we nit-picking it?

Mr. Coyne:

Mr. Chairman, I think that both Ms. Madoff and Mr. Ferlo have good points and maybe Mr. Regan would consider recommitting it to the next committee meeting. So, certain questions Council has can be answered. I agree with Mr. Ferlo that I know there's certain events that I would like to know what the price and scale is going to be. What services we're going to provide and I know that a lot of the event coordinators make phone calls to Council members asking us for some assistance or asking us to explain to them what exactly's going on, and if we're not in position to do so I think it sort of takes away from the priority of this branch of government.

Mr. Ferlo:

Mr. President, I agree wholeheartedly with everything Michelle just said and that's the very reason why I don't think we should vote to approve this bill.

We should know specifically -- first of all every fee that's determined in the City is by act of legislation of Council from swimming pool fees to the fees associated with Building Inspection. All of these fees are an act of legislation by Council, and for the very reasons that Michelle spoke about. What is the methodology that's used? By what process does the Administration determine that one group will pay for certain services and the other will pay others? I'm all in favor of that fee schedule, but I want Council to be involved in evaluating and having an explanation from the Administration as to the manner in which they determine these fees.

You know, you have raised a point, Mr. President, about certain parades in this City. I was down there this past Saturday I don't know how many people marched but all the streets were blocked off. I'm sure there was a tremendous amount of personnel power utilized to set up for the parade. I don't think there were more than a couple of hundred people parading down Fifth Avenue.

Should that be part of the fee schedule? And if so on what basis and by what amount? There may be other events that we host. We're the livingroom for the region. I'm saying let's evaluate all of the events and all the potential resources that we have as far as generating revenues. Not just the mega events, the marathon, the grand prix, the arts festival. There may be other cost recovery activities from the Grateful Dead to these various parades and others.

I'm only asking that Council as a legislative body be involved and hear from the Administration on what methodology, because I think so far the Administration has been arbitrary and capricious in the manner in which it extracts revenue out of these events, and I think they should come to Council with a logical plan. We should all know it. We should debate it. I'm going to support it. I'm going to support the creation of the trust fund. I think Council should be involved the decision making process.

Mr. Cohen:

Mr. President, I think that there are numerous procedures for sitting down with the Administration discussing with them what their fee schedule is. What factors they use in taking this into consideration? The bill before us today is to create a trust fund for those revenues to go into. I'm going to be voting for it because it's simply a procedural matter of creating a trust fund. But, at the same I would be receptive to any other

method for sitting down with the Administration and having a dialogue on what factors should be used in determining the contributions to be made.

The Chair:

I agree with you Mr. Cohen.

Michelle Madoff:

You know my colleague Mr. Ferlo has given every reason why the bill should be left as it is. He pointed out that there was a parade that was a smaller dimension than other parades. We are not talking about a fee or a fee schedule. What we're really talking about here is that the Administration is going to do an assessment or a back charge for services rendered specifically for specific events -- any more than this Council would be involved in sitting down with hospitals and negotiating what they're going to be paying. We would not be involved in that. We shouldn't be involved in whatever specific negotiations the Administration finds necessary, and its not a fee. It's a back charge for services rendered based on an assessment of what has happened previously or their needs. This is not a fee, I repeat.

Mr. Darkins:

Mr. President, I'm going to vote in favor of this bill today. I can't see any reason why we should delay action. Put the trust fund into action. Put it in place and we can always go to the Administration and question them.

Mr. Ferlo:

In response to Mr. Darkins and Mr. Cohen. Just very clearly let's all be clear on our procedures and how things happen around here. We create the trust fund. They have the ability to deposit the money. It will never come back to

Council. There's no way for us to get something back on the table in a Wednesday session. Who's kidding who.

If we wanted to review these issues I'm saying hold up on the trust fund. Ask them to come in with a companion piece of legislation. We can do it all by next week. If we vote on it today its a fait accompli. It's off the table. Who's kidding who.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 2

VOTING NO:

Mr. Coyne
Mr. Ferlo

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 806 Resolution appointing Dawn A. Botsford of 373 Republic Street, Pittsburgh,

Pennsylvania, 15211, as the Director of the Department of Water, effective June 4, 1990.

Which was read.

Also,

No. 807 Resolution appointing Louis g. DeNardo of 6024 Wellesley Avenue, Pittsburgh, Pennsylvania, 15206, as the Director of the Department of General Services, effective June 4, 1990.

Which was read.

Michelle Madoff:

Will you have them here tomorrow?

The Chair:

Yes. We are requesting that the two individuals just mentioned be in front of Council tomorrow at the Standing Committee meeting.

Michelle Madoff:

I'm anxious to get a Water Director.

I apologize to Council by oversight I neglected to Waive Rule 8 on a bill and have it on the agenda tomorrow. That's the Westside Community Development Corporation, which this Council has made repeated commitments, and that the Administration has made commitments on their dollars. Part of it is coming from URA the other part will have to come from Council, and I ask that we Waive Rule 8 and we have on the agenda tomorrow.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Mr. President, Councilman Darkins and myself just came back from a seminar and I'd like to give a little report on it. I want to be brief but I just want to give you a little outline.

We attended the 1990 International Privatization Congress in Saskatoon, Saskatchewan, Canada, and it was the only one of its type that we know of throughout the world. There were speakers from all over the United States and a lot from the European block who are doing a lot in privatizing their services.

The main thing that we were there for was for municipal privatization. This includes opportunities for private and public partnerships and employee ownership of municipal services, and that would include for example: water & sewage, public transportation, roads, and anything to do with Public Works. This pertains to contracting out services and saving the municipalities a lot of money.

The Bishop and I were late and missed the plane in Toronto, and there's a lot more to this than meets the eye, because there was 150 union people picketing the convention. We missed that and there was a great debate on television. I was able to watch part of it in between sessions about how many people that they've lost and how many people are out of work on account of it.

So, although it saves the municipalities a lot of money. Does it do a service and people moving out of the area and unemployment? So, that's my little report and anything else that's necessary I'd be glad to bring it forward.

The Chair:

Thank you, Mr. Regan.

Michelle Madoff:

I have another issue, Mr. Chairman.

On this legislation that was just introduced. Kurt tried to see the Finance Chairman, and I'm sorry that they didn't connect, and I think we need some clarification. This is not new legislation. This is not new monies that I'm looking for. This money was approved, budgeted. We had a public hearing. We all felt deeply moved and felt that this was an absolute necessity. When people have to spend \$10.00 for a bottle of milk because there's no facility for the people in the area, and no funds to operate their community group. They were written up yesterday as the community trying to pull themselves up by their boot straps and trying to do something.

The Chair:

Councilwoman Madoff, that will be discussed when the bill is in committee.

Michelle Madoff:

But, I just wanted to make a point. I just want my colleagues to know this is not new legislation. This is not end running anybody. This was a commitment by this Council and by the Administration to fund this particular activity which comes up tomorrow, and I would urge that anybody that has any concerns about it between now and tomorrow check on that.

The Chair:

We will discuss that bill tomorrow.

Mr. Ferlo:

Mr. President, since we last met we now have a new Police Chief Mayer DeRoy and I just want to thank the Mayor for this appointment, and to congratulate Mayer DeRoy. I think he's

certainly been a great police officer, and I think he's going to make a great police chief. I'd like to publicly congratulate him, but also publicly request of him and that is that some of the first concerns I hope that he would review is the whole issue of the zone concept that has been implemented in the Department of Public Safety.

Specifically, I would ask that he re-evaluate the size of Zone 5 with the possibility of reopening the Number 3 Police Station. I think there's some of the other zones that have problems associated with the size of the zone and the available number of officers, and I hope that as the new police chief he'd be open to hearing from the communities involved in these various zones on some of the problems associated with the zone concept.

Also, I hope that the Chief will evaluate, and what will be the commitment of the Police Bureau as it relates to the issue of foot patrol. Something I've been lobbying for and there were some commitments made a couple of weeks ago in Zone 5 and I'm hoping that that won't change radically. I hope that that commitment will be forthcoming.

The issue of foot patrol is something very important and it's something that many of the neighborhood groups in my area have been lobbying for along with myself on City Council.

The best example of the need for foot patrol is a group of prostitutes and hookers on Butler Street between 44th and 46th Street, and a group of hookers that operate a successful business about four or five blocks from Director Cannon's house at Stanton and Negley.

I can't imagine why this activity is allowed to continue, and I believe very strongly that foot patrol, and that's a specific example in addition to other police investigation work, and arrests that could go on will have a direct impact,

as well as on street drugs.

So, I would ask that the new police chief while I'm congratulating him, I hope that he will seriously begin to review the zone concept. The issue of where foot patrol is needed and its effectiveness, and I also hope he looks at the communication system, because I think there are still some fundamental problems with response time and problems associated with civilians running the 911 operation.

The Chair:

Is this a verbal request, Mr. Ferlo?

Mr. Ferlo:

Yes. This is a verbal request, Mr. Chairman.

Mr. Regan:

Mr. President, I'd just to take my hat off to the Mayor for appointing Mayer DeRoy. I think he's a great police officer, and I'd like to warn my great colleague here not to give the names and the address where these ladies of the night are loafing. We got enough weak people in the City, but I'm sure Mayer DeRoy will take care of that. Thank you.

Mr. Regan moved to approve the Minutes of Monday, May 14, 1990.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, May 29, 1990

PRESENT:

MR. COHEN
MR. COYNE
MR. DARKINS
MR. FERLO
MICHELLE MADOFF

MR. MILLONES
MR. REGAN
MR. RICCIARDI
MR. WAGNER
(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Mr. President, Councilman Ferlo and I would like to introduce the following two resolutions and we'd like to have the following people come up, please: Barbara Wolvovitz, Peggy Harris, Caroline Mitchell, Jay Hornack, Lois McClendon, Otis King, and Stu Cohen.

Before I begin, let me introduce these people. Barbara Wolvovitz is Executive Director of the Pittsburgh Chapter of the American Civil Liberties Union. Peggy Harris is of the YWCA. Caroline Mitchell is the former General Counsel of the Pennsylvania Human Relations Commission. Jay Hornack is of the National Lawyers Guild. Lois McClendon is of the Thomas Merton Center. Otis King is of the Coalition of Black Trade Unionists. And Stu Cohen is of the Urban League.

Mr. Cohen and Mr. Ferlo present

No. 829 WHEREAS, the equality of employment opportunity is a fundamental principle of our legal system and a right guaranteed by federal and Pennsylvania law; and

WHEREAS, in recent decisions, the U.S. Supreme Court has seriously limited the scope and effectiveness of civil rights protections, particularly in the area of employment discrimination; and

WHEREAS, The Civil Rights Act of 1990 has been introduced in the United States Congress to legislatively restore civil rights protections guaranteed to citizens before the Supreme Court's rulings and to provide more effective deterrence and adequate compensation for victims of discrimination; and

WHEREAS, The Civil Rights Act of 1990 will help to eliminate existing barriers to equal employment opportunity; and

WHEREAS, The Pittsburgh Campaign for Civil Rights was recently founded by local leaders of civil rights and civil liberties organizations and is now working toward the passage of The Civil Rights Act of 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, the City whose own Preamble to its Home Rule Charter guarantees equal protection for all citizens, endorses and supports The Civil Rights Act of 1990, calls for its immediate passage in the Congress of the United States, and commends the Pittsburgh Campaign for Civil Rights in its efforts toward these goals.

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

I just want to say a couple of words before Councilman Ferlo introduces the second resolution.

This resolution, this bill before Congress, restores some of the protections that the Supreme Court has undermined, really, in the last few years.

I just got a letter this morning from Senator Heinz saying that he is going to be a co-sponsor of this bill. Senator Spector has also, and our local Congressman. Bill Coyne, is a co-sponsor of this bill as well.

So, I hope that it passes and I think that it will really make a great step forward in civil rights.

Mr. Ferlo and Mr. Cohen present

No. 830 WHEREAS, the Racial Justice Act, Senate Bill 1696, is legislation which aims to eliminate the risk that the race of a victim or the race of a defendant affects the outcome of capital sentencing decisions; and

WHEREAS, the Racial Justice Act was introduced on September 28, 1989 by a bipartisan coalition of Senators who represent opposing positions on the imposition of the death penalty; and

WHEREAS, the Senate Judiciary Committee concluded after hearings on race discrimination in capital sentencing on October 2, 1989, that "there is widespread and disturbing evidence of patterns of racial discrimination in the imposition of the death penalty"; and

WHEREAS, a February 1990 review by the United States General Accounting Office of research in the field of capital punishment reported that race influences the decision to sentence defendants to death; and

WHEREAS, of the twenty prisoners added to death row in Pennsylvania from January 1, 1989 through May 1, 1990, sixteen of them were black; and

WHEREAS, of the 114 defendants on death row in Pennsylvania, 73 are members of minority groups; and

WHEREAS, the Racial Justice Act forbids using the death penalty in a "racially discriminatory pattern"; and

WHEREAS, the Pittsburgh Campaign for Civil Rights was recently founded by local leaders of civil rights and civil liberties organizations and is now working toward the passage of the Racial Justice Act.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, the City whose own Preamble to its Home Rule Charter guarantees equal protection for all citizens, endorses and supports The Racial Justice Act, calls for its immediate passage in the Congress of the United States, and commends the Pittsburgh Campaign for Civil Rights in its efforts toward these goals.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

We'd like Barbara and possibly the others to speak and address the resolutions.

Ms. Wolvovitz:

I want to thank you on behalf of the Campaign for Civil Rights for passing these resolutions.

As Councilman Cohen indicated, both Senators Heinz and Spector are supporting the Civil Rights Act of 1990, but that is not the case for the Racial Justice Act.

So, I hope that this resolution will help and be instrumental in getting their support on

this very important act.

I do appreciate the efforts of the Council to eliminate discrimination in all its forms, in employment, in capital sentencing, and I know that this will be very beneficial in our efforts in trying to get this legislation passed. Thank you.

Ms. Harris:

Good morning. My name is Peggy Harris and I'm an officer of the Board of Directors of the YWCA of Greater Pittsburgh.

The YWCA is dedicated to working towards the elimination of racism and sexism wherever it exists in our society. We deplore the fact that employment discrimination is a very serious problem for millions of American women seeking equal opportunity in the workplace. Women of color are particularly disadvantaged by discrimination as they face the double jeopardy of race and sex discrimination.

At a time when more women than ever are in the workplace and are in need of strong anti-discrimination laws in order to compete fairly, the Supreme Court has taken a giant step backwards. In recent decisions, it has applied the Civil Rights Laws so narrowly that fewer and fewer victims of discrimination are benefiting from them. Many women have already been adversely affected and many more will be.

The Civil Rights Act of 1990 will be an enormous help to women because it will reverse recent Supreme Court decisions which severely weaken two federal employment discrimination laws, namely Title Seven and Section 1981.

I'll leave it to the lawyers to detail the remedies to sex and race discrimination found in the Civil Rights Act of 1990. Suffice it to say that the Civil Rights Act of 1990 is of critical importance to women. A discrimination free

workplace is a goal that all women have a stake in for themselves and for the families they support.

The YWCA of Greater Pittsburgh also supports the Racial Justice Act which addresses the widespread problem of race discrimination and the application of the death penalty.

We appreciate the fact that City Council is holding this hearing and urge you to pass a resolution supporting both the Civil Rights Act and the Racial Justice Act. Thank you.

Ma. Mitchell:

My name is Caroline Mitchell. I'm here as a private attorney engaged in Civil Rights practice and as a former Assistant General Counsel, not General Counsel, of the Pennsylvania Human Relations Commission.

Your passage of this resolution today means that the words inscribed over the portal of the United States Supreme Court, "Equal Justice Under Law", can at last become a reality for many victims of racial and sexual harassment who, without this Civil Rights Act of 1990, would have no meaningful relief. Thank you.

Mr. Hornack:

Good morning. My name is Jay Hornack and I'm here on behalf of the National Lawyers Guild, an organization concerned with both the areas of economic and criminal justice.

I'm here to speak this morning briefly about the Racial Justice Act and to thank you again for passing the resolution dealing with that act.

The important point about this piece of legislation is that, regardless of one's views on the death penalty itself, there is, I think,

widespread agreement, and there ought to be widespread agreement, that any sentence that is imposed ought not be done in a racially discriminatory fashion.

All this act does is give a remedy to a criminal justice defendant, give them the right to show that the penalty has been imposed by the federal or state government in a racially discriminatory fashion, and allow that individual to then make an argument that there should be a lesser penalty.

This minimum amount of equal justice under law that's provided by this act ought to be passed by Congress and I hope that this resolution here goes a long way in having that accomplished. Thank you.

Ms. McClendon:

Good morning. My name is Lois McClendon and I'm here representing the Thomas Merton Center, but I'm also here representing a group called Women for Racial and Economic Equality.

We just had our national convention here in Pittsburgh this past weekend, and we've adopted as our plan of action affirmative action and we're going to be working on the local as well as national level for the passage of the Civil Rights Act of 1990.

The fight for affirmative action is not just a legal fight, it's a political fight. Affirmative action impacts not only on jobs, it also impacts on health rights, children's rights, reproductive rights, as well as the rights to racial and economic justice. But its strongest impact will be on white women and women of color. By the year 2000, though, the workforce will consist of mainly women, people of color and immigrants. Only 15 percent of the jobs will be held by white males. Most of the jobs that will be in

the year 2000 will be low-paying jobs and among those who will receive the lowest are women and people of color.

We must begin to see that everyone has a right to a decent living wage and the right to job training, protection and security, and the only way to do that is to have strong affirmative action legislation in place, and also to make certain that it is carried out.

So, we're here today to thank you for passing the resolution here in City Council which is saying on the local level that we're willing to fight for the Civil Rights Act but we're also calling for the Civil Rights Act to be passed and after its passed and implemented and that we want to make certain that the law is followed. We say that affirmative action is not a civil right, it's also a human right. Thank you.

Mr. Cohen:

Hello. I'm Stuart Cohen and I'm here on behalf of the Urban League of Pittsburgh. I want to thank you for agreeing to support the Racial Justice Act and the Civil Rights Act of 1990.

One, I just want to indicate that for those of you who may be wondering what an Act of Congress, how it can affect a Supreme Court Decision, basically what the Supreme Court held in the recent decisions were interpretations of existing statutes, of existing law. They weren't Constitutional interpretations which, to overturn, would require a Constitutional amendment. And so this piece of legislation, the Civil Rights Act of 1990, can restore, in effect, what had been the prevailing interpretation of the prior statutes.

Secondly, for those of you who are politicians and are sitting there wondering, "Is this going to get me in hot water with my constituents because I seem to have voted against

the death penalty by supporting this act?", just let me reassure you that, in fact, most people's support for the death penalty dissipates when they are informed that it is possible to have sentences which are for life without hope of parole. I think most people's support for the death penalty is based on the assumption that the justice system doesn't work and that's the only way perpetrators will be punished. The reason you should do it has already been presented. The reason you don't have anything to fear for having done it is the fact I just indicated. Thank you.

The Chair:

Thank you all, very much.

Mr. Darkins presents

No. 831 WHEREAS, the Greater Pittsburgh Alliance of Black School Educators is hosting the second annual Northeastern Regional Conference of the National Alliance of Black School Educators in Pittsburgh from June 1 through June 3, 1990; and

WHEREAS, GPABSE purpose is to create a network of communication for all Black Educators by providing a Mechanism to address classroom obstacles and identify methods to remove the barrier; and

WHEREAS, the conference theme is Strategic Planning and Implementation Techniques for Improving the Educational outcomes of African American children; and

WHEREAS, Educational leaders from New England, New York, New Jersey, Delaware, Maryland, West Virginia, the District of Columbia and Pennsylvania will attend the conference to learn techniques, skills and methods that will enhance their capabilities to improve the quality of education for all students.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh and its residents welcome the National Alliance of Black School Educators to the City of Pittsburgh and extends to them success and longevity in their pursuit to improve the quality and standards of education for all students.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh congratulates the Greater Pittsburgh Alliance of Black School Educators for their leadership in establishing a forum for educators to identify and rectify concerns surrounding the education arena.

Mr. Darkins moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Dr. Edmund Effort to come up, please.

Mr. Ferlo presents

No. 832 **WHEREAS**, welfare recipients who are entitled to Medicaid benefits are currently hard-pressed to obtain access to dental services; and

WHEREAS, the lack of access to dental services for Medicaid patients is due to the outdated, inadequate reimbursement fees from the State Department of Public Welfare which has resulted in many dentists, some clinics and some hospitals being financially unable to treat Medicaid patients; and

WHEREAS, the Medical Assistance fee levels for dental services were last adjusted in Fiscal Year 1980-1981 to a level which was at that time 70% of the state-wide reported average

and there has been no increase in Medical Assistance fee levels for dental services since 1981; and

WHEREAS, increasing dental practice overhead and inflationary factors, in conjunction with the lack of even nominal increases in reimbursement levels, have eroded Medical Assistance dental fees to below 50% of the Statewide reported average; and

WHEREAS, with the mounting disparity in Medical Assistance fees versus dentists' usual charges, more and more Medical Assistance dental providers are unable to accept new Medical Assistance patients, or are terminating participation entirely; and

WHEREAS, the Pennsylvania Dental Association supports the adjustment of Medical Assistance provider rates to levels that insure participation of the necessary number of providers; and

WHEREAS, House Bill 91 will allow dental service fees to be raised to 75% of the statewide reported average.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the State Assembly to secure an adequate appropriation for Medicaid assistance for dental services for fiscal year 1990-1991 which will allow dental service fees to be raised to at least 65% of the statewide reported average.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Before I introduce Dr. Effort, I do want to give him a plug because he happens to be not only a great dentist, since he's my dentist, by he's a wonderful gentleman.

I know some people view dentists and physicians as being always out on the gold course five days a week. Personally I'd like to say that Dr. Effort is somebody who is working very hard with his volunteer time. He serves on the Medical Assistance Advisory Commission, which is part of the State Department of Public Welfare, representing different constituency groups. Dr. Effort represents the Pennsylvania Dental Association. He's one of the few dentists locally that does accept and provide treatment to Medicaid recipients.

I think as many of us are aware, in the Commonwealth alone, there are over 1 million Medicaid and/or Welfare recipients, which is close to ten percent of our population. There are many, many people, especially here in the City of Pittsburgh, that cannot find dental services if they are on medical assistance.

So, this legislation is badly needed, not only for people like Dr. Effort who do go above and beyond the call of duty of serving Medicaid recipients, but places like Alma Illery Health Center, a community health center in Homewood who maintains dental chairs and could certainly profit and benefit from a rate increase as far as being able to provide those very necessary services.

I'd like to thank Dr. Effort for bringing this to the attention of Council. I would also hope that we would send a copy of this resolution to members of the House and Senate in Pennsylvania.

At this time, I'd like to introduce Dr. Edmund Effort.

Dr. Effort:

I want to thank Councilman Jim Ferlo for taking the time to present this proclamation. My other two good friends, Dr. Milliones and Bishop Darkins, the three of these guys have always been champions of the community and they work hard at what they do. It's this kind of support that will bring this resolution to its completion and, hopefully, the State Legislators will be as open minded and understanding as this City Council is for providing this proclamation. I thank you for your time.

The Chair:

For the final resolution I'd like to ask Mr. Tom Dworkan and Mr. Robert Kniss to step forward to receive it. They are both members of A.B.A.T.E. and upcoming is Motorcycle Awareness Week.

The Chair presents

No. 833 WHEREAS, the Alliance of Bikers Aimed Toward Education is a Pittsburgh based non-profit organization; and

WHEREAS, A.B.A.T.E. participates in civil activities, Toys for Tots, Jerry's Kids and the Central Blood Bank; and

WHEREAS, A.B.A.T.E. further supports local charities such as the Buhl Science Center's Christmas Angel Program and donates regularly to W.Q.E.D.'s telethon; and

WHEREAS, it is important for A.B.A.T.E. to maintain a good image for bikers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the week of June 4 through June 9, 1990 as "Motorcycle Awareness Week" in the City of Pittsburgh."

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I'd like to thank these gentlemen for being actively involved in this program and the many civic activities and promoting biker awareness and safety on the roads in the City of Pittsburgh and to declare the upcoming week as "Motorcycle Awareness Week".

Tom Dworkan would like to say a few words.

Mr. Dworkan:

Members of Council, ladies and gentlemen, on behalf of Bob Kniss, our President of A.B.A.T.E. of Allegheny County, we'd like to thank you for passing this resolution. It's important to us, and we've been doing this for three years right now, as having Motorcycle Awareness Week in the City of Pittsburgh to let the public know to watch out for us on the roads. We are out there; we share the roads with you and our lives depend on it. So, I ask you to please remember that.

This is the 11th year of this run we've had which started out as a helmet protest run because we are opposed to the mandatory helmet laws in Pennsylvania. Over these 11 years, this run has grown into a rally, and we have also joined forces with the Rainbow Kitchens and donated food to them for the last three years.

We're trying to show the public that not only do we wish to have the present mandatory helmet law in Pennsylvania amended to state that riders over the age of 18 who are experi-

enced riders be able to make that choice of whether they wish to wear a helmet or not. That is a freedom of choice. We do have other freedoms to choose in this Country, but unfortunately, those of us who ride motorcycles seem to be pushed aside.

There are other items, there are other things that affect us. I will not get into the details; I don't want to have this meeting carry on longer than it already has. But I invite you to come out and see our rally on June 9th at 1:00 p.m. at West Park Meadows in North Side.

At this time, I would also like to extend an invitation to Mayor Masloff and have her come and say a few words at our rally.

Thank you very much.

Mr. Cohen presented

No. 808 Resolution providing for the issuance of a warrants in favor of G.A.L Consultants, Inc. in the amount of \$7,036.32 and Middle States Steel Construction Company in the amount of \$25,265.00 (an aggregate amount of \$32,301.32) for the design and construction of repairs to the Fort Pitt Boulevard Bridge - Eastbound, payable from Code Account 4-13-30-0001-88, Index Code #307546. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 809 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Structural Repairs to Schenley Park at a cost not to exceed \$100,000.00, chargeable to and payable from the "1989 Project Fund". (COUNCIL

DISTRICT #5)

Also,

No. 810 Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Structural Repairs and Maintenance at Phipps Conservatory at a cost not to exceed \$501,138.10.

Also,

No. 811 Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the reimbursement of the Federal/State Government's share of costs to the City of Pittsburgh incurred during the design of the Edgebrook Avenue Bridge. Any reimbursement received from the Commonwealth of Pa. or the Federal government for this project shall be deposited in the Dept. of Engineering and Construction's Unrestricted Cash, Code Account 4-13-35-0002-89, Index Code #307728. This resolution will enable the City to receive 80% State reimbursement on in-house design costs.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Ferio presented

No. 812 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by Revising the Text of Chapter 909 concerning the Regulations governing the Board of Adjustment granting of Special Exceptions for Use of land and the erection, alteration or enlargement of structures in the "A1" District.
---(SPONSORED BY MR. FERLO)

Also,

No. 813 Resolution providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for the performance of certain work in connection with the 1990-1991 Community Development Block Grant Program at a cost not to exceed \$7,945,000.00).

Also,

No. 814 Resolution providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. to receive funds in the amount of \$68,328.56 from the Authority to fund Community Development Corporations. Said funds will be deposited in the 1990 Community Based Organizations Trust Fund.

Also,

No. 815 Resolution providing for the filing of an application for financial assistance by the URA of Pgh. with the Pennsylvania Dept. of Community Affairs for the Washington's Landing Redevelopment Project. The URA of Pgh. is authorized to file an application for financial assistance in an amount not to exceed \$1,200,000.00 with the Pa. Dept. of Community Affairs for the undertaking of Strategy 21 under H.B. 1676 P.N. 3873 (Act 115 of 1968) of the Redevelopment Assistance Capital Projects Law.

Also,

No. 816 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Sports Technology Group for the sale of Parcel E-7 in the 24th Ward of the City of Pittsburgh in Redevelopment Area No. 45 (LIGHT INDUSTRIAL CONSTRUCTION).
(COUNCIL DISTRICT #1)

Also,

No. 817 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Washington's Landing Marina, Inc. for the sale of Parcels 9, 10, 11, 12, 13, and 14 in the 24th Ward of the City of Pittsburgh in Redevelopment Areas No. 45 and No. 48 (MARINA, COMMERCIAL & RESIDENTIAL DEVELOPMENT) (COUNCIL DISTRICT #1)

Also,

No. 818 Resolution authorizing a Cooperation Agreement with the URA of Pgh. to provide for the designation of the local matching share in connection with an application for Strategy 21 Project Funds filed with the Commonwealth of Pennsylvania, Dept. of Community Affairs for public improvements in connection with the Washington's Landing Redevelopment Project. The local matching share shall consist of \$1,050,000.00 in Port Authority Transit funds and \$150,000.00 of City Expired Project authorization funds. (COUNCIL DISTRICT #1)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 819 Resolution providing for the issuance of a warrant in favor of Varieties Unlimited Inc., 100 Rosslyn Road, Carnegie, PA 15106, in the amount of \$1,999.75 in payment for services furnished for the benefit of the City in connection with the purchase of water bill stuffers, chargeable to and payable from Code Account 1922, Misc. Services, Administration Division, Department of Water.

These bill stuffers notified our customers of the changes in water rates for 1990.

Which was read and referred to the Committee on Finance.

Mr. Millones presented

No. 820 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the study of alternative strategies to lower the Amusement Tax and offset lost revenue, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance.

Also,

No. 821 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 822 Resolution Repealing Resolution No. 517, Item H, approved May 23, 1990, which repealed Res. No. 552, Item G, approved July 10, 1989, which authorized the sale of property in the 14th Ward, being a 63' x 100' x 65.67' rr. vacant lot, located at 6837 McPherson Blvd., designated as Block 125 R, Lot 200 to Richard M. Starks, for the sum of \$2,500.00. The reason for repealing Item H of Res. No. 517 is that the purchaser provided the Title Report after the Forfeiture proceedings were initiated. (COUNCIL DISTRICT #9)

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 823 Resolution requesting the Historic Review Commission and the Planning Commission to review and consider designating as a Historic Structure the Soldiers and Sailors Memorial Hall along with all abutting property located at 5th Avenue and Bigelow Boulevard, Pittsburgh, PA 15213 (COUNCIL DISTRICT #8). ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Planning, Housing and Development.

UNFINISHED BUSINESS

The Chair presents

No. 806 Resolution appointing Dawn Botsford as Director of the Department of Water, effective June 4, 1990.

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like to have my comments brought forward.

Mr. Cohen:

I'd like to have my comments brought forward as well.

Michelle Madoff:

Ditto.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN AND FERLO AND MICHELLE MADOFF'S
COMMENTS ON BILL NO. 806, WEDNESDAY, MAY 23, 1990)

The Chair:

Our first order of business are directors to be considered,
Dawn A. Botsford for Director of the Department of Water.

Michelle Madoff:

Here we go again. You know I'm delighted that you're on
board. I have a number of questions.

It is my opinion that the Water Department is in fact a
utility and is markedly different from all other city
departments. Have you given any consideration to this fact?

Ms. Botsford:

Well yes. As a matter of fact, I met with the Assistant
Directors yesterday and one of the things that I went over with
them was the fact that I believe that the Water Department
should be run as much like a business as possible. We have
customers out there that we serve and that's our goal to run it
as a business and to serve our customers.

Michelle Madoff:

Since you knew that you were going to be appointed and
because of your involvement in the water peripheral, are you
familiar with Chapter 56 of the Utility Code?

Ms. Botsford:

No, I'm not.

Michelle Madoff:

I strongly suggest that you do that.

It's my understanding that the Water Department which is
not regulated by the PUC has not taken advantage of the
evolution of that set of standards which entitles Utility
Customers to fair treatment and requires responsibility to rate
payers. All of us as utility customers, whether it's electric,
gas or telephone have greatly benefitted from Chapter 56 and
have been held responsible by these same standards.

While the Water Department is not required to adhere to
these standards, it is unfortunate that we have not adhered to
these standards in the past. Will you review these standards
outlined in Chapter 56 and seriously consider adopting them as
standard operating procedures?

Ms. Botsford:

Well, I would assume that that's one of the things I would review and I'll be happy to take a look at that and if that's one of the ways that you improve your services to look at other people's service so obviously that's certainly a path I would take.

Michelle Madoff:

It spells out almost every problem that we've had in the Water Department and how it's dealt with and I strongly suggest that you look at it.

I know you are familiar with the Remote Meter Installation Program which is under way. It is my belief it is insufficient to merely install meters if no program exists to calibrate, insure their accuracy with routine inspection. Do you agree you will institute such a program?

Ms. Botsford:

Certainly. I'm not familiar with the calibration issue at this time. I know that that is important in meters. I have talked with other people who have had calibration problems and I will look at what we currently do and if we need to install a program to that effect certainly we'll do that.

Michelle Madoff:

As I said, I found the Water Department out of step with accepted standards that other utilities are held to. Once you have familiarized yourself with them, will you be willing to meet with me and share your thoughts?

Ms. Botsford:

Certainly.

Michelle Madoff:

Have you reviewed my audit of the Water Department performed last May, 1989 which I presented to the Water Authority in July of last year?

Ms. Botsford:

No, I have not but I will be doing that.

Michelle Madoff:

Have you been privy to the reports submitted to George Jacoby by Alex Sciulli and Marnie Monheim who was on the Mayor's

staff and assigned to the Water Department who was charged with using her expertise obtained in part from her experience as administrative staff perfon to Helen O'Bannon who headed the state PUC?

Ms. Botsford:

I have not seen those reports only because I haven't had an opportunity to review them. I mean, they're available to me but I just haven't had the time and I will be looking at all the available reports.

Michelle Madoff:

I know that the Sculli Report would be available because he's still here and you certainly would have access to that but I question whether you're going to have access to the Marnie Monheim Report because while I have a copy I have not been permitted to share it with anybody. She is a professional and I can't give her material to anyone but it was given to Jacoby and I believe it was given to Alex Sculli and it was given to Lou Borman, and when I tried to get it from two people it wasn't available, nobody could find it. I think George was involved and absorbed with his own problems at the time he knew he was leaving the department and nobody can find these reports. I have a problem as we talked earlier in giving you somebody else's project documents.

Ms. Botsford:

Whatever reports we do have available I will be reviewing all of them.

Michelle Madoff:

Jim Turner graciously met with Ms. Monheim and felt that her material was very beneficial to the City. Perhaps you can make arrangements through Mr. Turner to make some arrangements to meet with her and find out what input you could get from her because as I said it would be inappropriate for me to share that.

Are you aware that when customers choose not to pay their bills this places an unfair burden on responsible rate payers who are in effect subsidizing the dead beats?

Ms. Botsford:

That makes sense, that's absolutely true.

Michelle Madoff:

I think someone else mentioned it but I thought that it was worth repeating. Would you be willing to have a consultant come in to train the Customer Service Department in collections and billing procedure?

Ms. Botsford:

It's too early for me to make a commitment like that. What I'd like to do is to get moved down there and take a look at the situation and from there determine which direction I want to go. If that's one of the directions then certainly I would pursue that.

Michelle Madoff:

You are not adverse to having experts in certain fields come in and help you.

Ms. Botsford:

No.

Michelle Madoff:

I guess the one that everybody is going to ask you and I'll touch on it and I'm sure others will pick up on it. How do you plan to deal with the bills that are the result of the Water Department estimating bills over a long period of time? Do you believe in a standardized payment plan for these bills? In these cases, should interest and penalty automatically be abated or waived? Let me be specific. You go in to buy a suit and I buy that suit for for \$400.00 four years ago and now you say, "Well, I wasn't sure so I estimated the price but now I really looked at the tag and the manufacturer sent me my invoice and that dress is really \$600.00." Do you think it's fair to come back four years later which is the statute of limitations I understand and say that you made a mistake and you now want \$600.00 when people have been counting on the fact that we didn't read the meter. If somebody kept us from reading the meter that's another story but if we didn't do our job for 35 years and particularly in the last four years which is statute of limitations, we didn't go out and read the meter, we only estimated, as my colleague would say, do you think it is fair to charge them for that and don't you believe that there should be a policy to live with what we did in error? It was our mistake and we shouldn't punish anybody and that would help us have the time to collect that -- whatever the number is realistically -- collect that money so we're not spending time spinning our wheels trying to get something done. Do you agree that it needs to really be looked at?

Ms. Botsford:

What I believe needs to be done is we need to look at what we have done and I'm well aware of these problems and I have discussed them with a couple of Councilmembers and we do need to develop a policy that is fair to our customers. As I said earlier, we're dealing with customers here and we have to do as a business would do and we have to develop a policy that's fair to everyone. I don't know yet what that policy should be because I am not that familiar with all the issues but I think that we can come up with a reasonable policy that addresses a consumer's concerns as well as addresses the City's need for financial resources.

Michelle Madoff:

Let me share something with you that you may or may not be aware of. The Water Department is currently not required to notify customers of their rights. Should the Water Department be required to notify customers of their rights? Example, the right to appeal to the Board of Water Assessors?

The Water Assessors has geared up -- I was told all these people are ready to go and I haven't heard from anybody. Yet, I think there were 54,600 complaints during 1988. They may not have been on billing but there are substantial numbers of problems and it would seem to me that at the very least we can tell people they have the right to appeal to a board.

Ms. Botsford:

I certainly believe that everyone should be informed of their rights no matter what issue you're dealing with.

Michelle Madoff:

I would appreciate it if you would really look at that as an immediate thing that needs to be addressed.

In closing, I wish to restate my support for you, Director. I have long felt that what the Water Department needed was a good administrator and not an engineer. I'm delighted that engineer after engineer turned down the opportunity to direct the Water Department.

By now along with everyone else you must be aware of my concern about the outstanding unpaid bills and the need to promulgate policies that will deal fairly with indigents, swiftly with deadbeats and the pressing need to make sure that bills which are sent reflect accurate readings without punishing rate payers for our years of neglect either in laxity of reading meters, overbilling by backcharging and the basic need to address customer relations in a very professional manner. Can I

assume you share my concerns for fair play to our 90,000 water customers and will you be willing to review your plans as they develop with me as head of the Water Committee for 12 years?

Ms. Botsford:

I think your concerns reflect the Administration's concerns and obviously I share those.

Michelle Madoff:

Today we will look at the printout one year later.

Ms. Botsford:

That's correct.

Mr. Cohen:

Thank you, Mr. Chairman. Good morning. I want to congratulate you on your appointment and tell you that I am very glad to see that there is going to be a Director of the Water Department.

I agree with Councilwoman Madoff that there are massive problems in the Water Department and she has touched on a number of issues. I think that next to crime problems the Water Department problems probably reflect the greatest number of phone calls that I have received to my office since becoming Councilman so I do want to focus in on a couple of those and the first is on the policy of back charging which the Administration calls catch-up bills which I call illegal back charging and as Councilwoman Madoff referred to, it's a situation where people -- and I'm only talking about responsible consumers and not the scofflaws -- but where people have paid their bills that they've received and in many cases estimated bills and then once a remote meter is put in they get an actual bill and are socked with a bill that's five or ten times may be many more times than that then they have had in the past. That policy in my view is wrong and probably illegal and I want to know what your views are on it and whether you would be receptive to changing that policy.

Ms. Botsford:

My views on that particular policy I'm not familiar with all of the details of that. I understand from talking with you and talking with the Councilwoman that that is indeed a serious problem and I know that we have been working on developing a policy that would be fair to the consumers and what I can tell you right now is that I am very open to developing a policy that suits everyone's needs and does not punish responsible individuals.

Mr. Cohen:

I'm glad to hear that. I'm sure it brings more revenue into the Water Department but there is another factor here and that's the factor of respect for citizenry, respect for the consumer and I think that in the few cases where we do get more money from these catch up bills and these back charge bills, the price that we pay in alienating the consumer is far greater and in many of these cases we're spending a lot of money going through the process, the hearing process, where people are protesting these bills and I think that they're right in doing so. And that gets to my second question which is, when people receive these new bills, these back charge bills, there is nothing to explain why their bill has gone up and in many cases they save ten times what they've been normally paying in the past.

I had a meeting at the Water Department recently and asked them whether they even put an insert in their bill to say this is the reason that your bill has gone up. You now have a remote meter in, we're getting an actual reading, would you be receptive and would you commit yourself to putting an insert in the bill or in some other way communicating to the consumer that this is the reason that your bill has gone up so much?

Ms. Botsford:

I think in any instance if you inform someone of a situation and they understand what's going on they're more receptive to that situation to begin with so I'm certainly not opposed to putting an insert in if it's feasible to do something like that, I would certainly look at doing that. I think that consumers should be informed about what's going on. I know if I get a bill at home and there's a substantial change in any bill that I don't understand I'm quickly on the phone to try and find out what is going on. I don't have to make that phone call if somebody gives me the information ahead of time.

Mr. Cohen:

I think what happens is that they call the Water Department and the Water Department is getting a tremendous number of calls every day and they're calling their Councilpeople, at least in my case I've received a number of calls and I'm sure all of us have where people say "There has to be something wrong here, my bill is ten times more than what it normally is". Why let that occur rather than explaining it to them in the first place and having the kind of respect for them that many companies at least in the private sector have for their customers.

I realize that it's a different situation because it's a monopoly in the private sector and in cases where there aren't monopolies a customer can go to another company so they have to treat them with respect. What I'd like to see and I think that

you'll bring this to the Water Department and I hope you do is to have respect for the customer which we really have not had in the past. So whether it's an insert or another form of communication, I want you to commit yourself that you will communicate to them to tell them why their bill has changed.

Ms. Botsford:

That's certainly a commitment on my part and I think that goes along with running the operation as a business and having respect for your consumers.

Mr. Cohen:

Now that the remote program I think is going well and ultimately we'll have remote meters in virtually every facility is my understanding. Will there be any reason to have estimated bills after that? I'd like to see the whole concept of estimated bills be done away with.

Ms. Botsford:

Our long-range goal would be that we have actual bills every single billing cycle. One of the ways to achieve that is through the installation of the remote meters but they also have to be read and that's one of the other areas that we have to address and there has been substantial work done in that area to make certain that the meter readers get their entire route read in any given day. So that is our goal. I can't tell you how soon that will happen but that certainly is our goal.

Mr. Cohen:

I realize of course that you were just appointed and I'm not going to pin you down to particular dates but I'm glad to hear that that's the goal that actual readings will be made throughout the city and not to have estimated bills which brings me to my next to last question which is, until that time occurs, the estimated bills that we have had in the past have been at a percentage of the former actual bill. So let's say in 1980 I had an actual bill and ever since then there have been estimated bills, either because the Water Department personnel haven't gone to my house or they haven't been able to get in. And as you know, the estimated bills have been at 90 percent of the previous year so that after ten years you have a bill that is a small fraction of what it should be. I don't know why that policy happened, no one has been able to give me a good answer as to why the estimates were at 90 percent of the actuals but under your leadership will there be estimates at 100 percent of the actual?

Ms. Botsford:

They are currently being done at 100 percent. So that has been changed. Actually it's about 101 percent, the computer can't figure it at 100 percent but I think it's always better to do it that way than the way they were doing it before.

Mr. Cohen:

I'm glad to hear that. That will bring us more revenue and it will bring the kind of revenue that's appropriate.

Your transition from Director of General Services to Director of the Water Department is I think a difficult one for many reasons. One because the Water Department has so many problems right now but the other is that in your role as Director of General Services the department didn't have nearly as much public contact as the Water Department does and I'm wondering if you thought about that and how you're going to make that transition.

Ms. Botsford:

I don't see that as a problem. I think that what we have to remember is that the public is our customer and we serve the public and that's what we're here for and if you can always keep that in the forefront of everyone's mind that deals with the public then you're doing a good job and that's certainly the way I feel about it and that's the way I would expect my staff to feel about it and I would work closely with them to portray that to the public.

Mr. Cohen:

I'm glad to hear that because I think that that concept has been lost in the Water Department so I look forward to you bringing it back.

Mr. Ferlo:

Director, I don't want to rain on your parade and I've certainly talked to you privately but I cannot vote in good conscience for your appointment as Water Department Director. Over the years both on Council and before I've not been pleased with your role as General Services Director on bid specification problems, the MBE procurement process, the fleet management problems associated and condition of public buildings. I'm just letting you know publicly, it's nothing personal, but based on your performance I cannot vote for you as Director of Water. It's obvious you have the votes so I won't belabor the point. I want to let you know that.

Secondly, I am concerned about the Administration because it's not often that the Mayor and the Administration is allowed to appoint department directors and in appointing directors for making a statement and I don't think you should bear the burden of this being a white female but I am concerned about the lack of minority directors throughout the City's system and there were two opportunities here in this appointment and the appointment of the General Services Director to make that kind of a statement. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Botsford was approved.

The Chair presents

No. 807 Resolution approving the appointment of Louis DiNardo as Director of the Department of General Services, effective June 4, 1990.

Which was read.

Mr. Ferlo:

I have a question to the President. What is the status of the debate?

The Chair:

The status of the debate is a letter which all of us received this morning, I suspect, to all

Members of Council from Dawn Botsford who was, up until that time, Director of General Services. It reads as follows:

"In keeping with our original plans, the American Flag will be flying in front of the City County Building no later than the dedication ceremony for the opening of Grant Street. However, we are attempting to move the Flag installation date up to July 3rd, in time for our City's celebration on Independence Day. The precise date will be dependent upon the availability of materials and approval of any local regulatory agencies.

As you may have noticed, the Flag was displayed on the front of the building on Memorial Day. We will continue to use this temporary measure on holidays until the permanent fixtures are installed."

I consider that letter to be sufficient in terms of a commitment from the Administration. I'm rather disappointed that it took two years to get to this point, quite frankly. I have letters going back to June 9, 1988 requesting that flags be flown in front of the City County Building.

They have not indicated in the letter the commitment to fly not only the American Flag but the County Flag and the City Flag. I suspect that will occur in the three flag pole locations in front of the building. But I am grateful that the Administration has finally made a commitment to do this.

Mr. Ferlo:

Thank you.

Mr. Regan:

I'd like to say that with the Director it was nothing personal and I commend the Ad-

ministration for their fast action on this. In fact, it's a lot faster than I thought it would be and I'd like to commend them for that.

The Chair:

I also think Mr. DiNardo should be approved and I think he'll make a quality director in General Services.

Mr. Regan:

I second that motion.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. DiNardo was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 824

Report of Committee on Finance for May 23, 1990 transmitting sundry resolutions to Council.

Bill No. 760

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Famous Telephone Supply, P.O. Box 2172, Akron, Ohio 44309-2172, in the amount of \$2,996.42 in payment for services furnished for the benefit of the City in connection with the purchase of telephone headsets; and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 760, you may recall, Members of Council, that I asked to have information as to who bid on the headsets at \$111.00 apiece. The information I got was grossly inadequate. It showed me a picture of what it looked like and who the company was. I wanted to know what other companies were able to provide that item so that I could call them and see if the prices were competitive.

I'm just tired of getting inadequate information and I'm going to be forced to vote no on this bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES 2

**(MR. FERLO AND MICHELLE MADOFF
VOTING NO)**

And there being two-thirds of the votes
of Council being in the affirmative, the bill
passed finally.

Also,

Bill No. 763

A Resolution entitled, "Resolution providing for
the issuance of a \$1103.61 warrant in favor of
Amercian Rent A Ride, Inc. in settlement of
claim for automobile damage and providing for
the payment thereof."

Which was read.

Also,

Bill No. 764

A Resolution entitled, "Resolution providing for
the issuance of a \$5,000 warrant in favor of
Robert and Joyce Turnbull, parents and natural
guardians of Christine Turnbull, a minor, for
personal injury sustained on September 4,
1988."

Which was read.

Also,

Bill No. 765

A Resolution entitled, "Resolution providing for
the issuance of a warrant in the sum of \$2,837.50
to Donald J. Hohman t/d/b/a Cross Trucking &
Storage, C/O Harlan S. Tone, Esq., his Attorney,
Stone & Stone, 1112 Oliver Building, Pitts-
burgh, PA 1522 in full and final settlement of al-
leged property damage due to Water Run Off
from City Property on High Street to Spring
Garden Avenue in the City of Pittsburgh."

Which was read.

Also,

Bill No. 766

A Resolution entitled, "Resolution providing for
the issuance of a warrant in the amount of
\$4,800.00 to Robert Pistella and Tina Pistella,
Husband and Wife C/O Frank E. Little, Esq.,
their Attorney, 1313 Manor Complex, 564
Forbes Avenue, Pittsburgh PA 15219, in full
settlement of alleged personal injuries in an auto
accident involving a Citiparks vehicle on or
about East Ohio Street and the 31st Street
Bridge in the City of Pittsburgh on or about June
6, 1988."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 767

A Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from Timothy J. Rooney of certain property in the 26th Ward of the City of Pittsburgh, for public purposes at not cost to the City of Pittsburgh."

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 767, WEDNESDAY,
MAY 23, 1990)

Mr. Ferlo:

Director, why is this gentleman doing this one and secondly, why should we not take this? Do we have a strategy in place either with the community group or through the City's real estate? I mean, any number of given property owners could say I don't want this property, give it back to the City and it removes taxable revenue from the property. What's the motivation?

Dir. Hayllar:

I'm not sure what the Rooney Family's motivation was but I think it's a generous one because it does connect to a playground and an already existing greenway so it would be attached to that. Also, we are in the position to extend Southside Avenue if we choose to and build on the property which would return part of it to the tax roles. I think he felt that he had no use for the property and continued to pay the taxes.

Mr. Ferlo:

I certainly appreciate the offer. I would ask though as Director that there be consideration given to Director Brown in terms of a report from her on what value some of this property could be.

Dir. Hayllar:

This is going through the Planning Department and the Parks Department.

Mr. Ferlo:

Secondly, I would be in touch with the Community Development Corporation there and see if they could be involved in some of the buildable portions.

Dir. Hayllar:

Certainly.

Mr. Ferlo:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA, STENOGRAPHIC REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 768

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with the Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 769

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with the Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984."

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 769, WEDNESDAY,
MAY 23, 1990)

Mr. Ferlo:

Discussion. On lot A, I strongly object to the sale of this property. First of all this is an "R4" zone, this is a non-conforming use so it would have to go to the Board of Adjustment which I would strongly object to. This property owner is part of several property owners in this area that is not a good property owner and I don't think a parking lot is suitable given the location on North Negley Avenue and I would strenuously object to this and I would appear before the Board to oppose its use as a parking lot. There are other adjacent properties one of which is abandoned right next to this parking lot and if any consideration would be given I would hope that it would be given to looking at it as a packaged deal.

The other thing is the Garfield Jubilee and other neighborhood groups in the area along with the URA and City Planning have embarked on an elaborate initiative to do a three-year, multi-year housing plan for part of the Black Street, this part of Negley, Colombo, Margaretta and I think this should fit in being keeping with that overall initiative that we're going to put a lot of resources in it and accordingly I'd like to make a motion to delete Parcel A.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation.

Bill No. 787

A Resolution entitled, "Resolution transferring the amount \$29,000.00 from Code Account 46 (004606), Judgements, to Code Account 1103 (100305), Miscellaneous Services, Department of City Planning."

Which was read.

Michelle Madoff:

Mr. President and Members of Council, I think most of you know by now how important this bill was to my community, to me, and really to the whole City because its indicative to keep-

ing our word.

There has been some discussion here about, well, this Council didn't make a commitment. How would this Council feel if we came up with legislation and somebody in this Council went on to something else or left Council? A commitment by this body is a commitment by this body.

My putting this bill forward was because an error had taken place, a misunderstanding had taken place. It is not somebody coming to this Council and saying, well, we now want some money.

Here is a community in Westgate that has been disadvantaged which had not had the opportunity to have the benefits of what we take for granted, being able to go to the store and buy a bottle of milk, some Pampers or groceries for the house. They have to take cabs everywhere.

There is some money being appropriated and the URA, as you know, is working to resolve that end of the problem.

But a group that doesn't exist cannot continue. There is no way of solving the problems of the community if the group that's planning all this and representing the community goes out of business.

I want to very quickly repeat what happened. This Council voted unanimously with the support of the Administration after many public hearings. We were all very deeply touched and made a 100 percent commitment to solve the problem of this community. What had happened was that they had asked for money. Unfortunately, I did not realize, as perhaps many people didn't, was that it was Mr. Ferlo's suggestion so we'd have more ULO money to give to other groups. We didn't understand that you could not take Operating money out of URA

dollars, out of bond money. You could only take Capital Improvement money. And so the group was disenfranchised and they lost their \$29,000 that was to go to them for their operation expenses like all the other groups in the City get and that I have supported forever since I've been here.

I think it's a terrible thing to punish a group because it appears that we're coming back to get money that we didn't commit earlier. I repeat, not only did we commit earlier, but we committed several times.

What has happened with this body is we've said, "Well, let the Administration come up with the money." And the Administration says, "Well, let Council come up with the money." So, I went to Code Account 10, which is our Code Account. It turns out that there just isn't enough money, nor would it pass this Council because Councilmembers have many other little commitments that they'd like to hold those dollars in reserve.

It was suggested to me by the Budget Office that we take it out of one of our special City code accounts which the Administration had used \$300,000 from in recent months. We took \$29,000 out of that code account.

I reported to this Council that it was my opinion, from having talked to the Administration, that they would not object to this because they, indeed, have a commitment and it will honor that commitment.

I was under the misunderstanding, and I apologize to my colleagues of thinking that I had explained this and that I had the support of my colleagues. As a matter of fact, one of the members said to me, "What are you worried about? You have the votes."

Unfortunately, through timing or prob-

lems, I was under the impression that the Finance Chairman had been briefed by the President of this Council and by the Budget Office because I figured that would be a better way than if I just said, "Hey, this is something we made a commitment for." I wanted the Finance Chairman to have the benefit of all the input.

The Finance Chairman has graciously said that he would look into this and therefore I would like to request that on both this bill and the companion bill that we hold them for two weeks. And hopefully my colleagues will reconsider and understand that they have a moral and ethical commitment to this community. And if it isn't passed, I think we should all hide our heads in shame. But I would move that we hold it for two weeks.

Mr. Ricciardi seconded the motion.

WHICH MOTION PREVAILED.

Mr. Darkins presented

Bill No. 825

Report of Committee on Public Works for May 23, 1990 transmitting sundry resolutions to Council.

Bill No. 739

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental Resources, for the purpose of granting the Department of Interior and the Department of Environmental Resources a right of entry into, over and upon certain lands owned by the City in the 14th Ward, and a license and right to install mine drainage piping."

Which was read.

Also,

Bill No. 740

A Resolution entitled, "Resolution vacating Strap Way, from Woods Run Avenue northwardly 73.54' feet to a point by 20' feet in the 27th Ward, Voting District 1, of the City of Pittsburgh."

Which was read.

Also,

Bill No. 782

A Resolution entitled, "Resolution amending Resolution No. 42, effective February 15, 1990, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase and installation of two (2) Silos for the Department of Public Works' Asphalt Plant, for storing asphalt the plant is producing; and providing for the pay ment of the cost thereof," by increasing the total project allocation by \$25,575.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Millions

Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 826

Report of Committee on Planning, Housing and Development for May 23, 1990 transmitting sundry resolutions to Council.

Bill No. 741

A Resolution entitled, "Resolution amending Resolution 994, effective December 27, 1989 entitled, "Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) in the Shadyside Community pursuant to Pittsburgh Code Chapter 549, so as the expand the streets include in the existing Shadyside RPPP Area 'J', by adding the block of Bayard Street from Devonshire Street to North Craig Street which block was inadvertently not included in the final draft of the ordinance."

Which was read.

Also,

Bill No. 742

A Resolution entitled, "Resolution Authorizing the Submission of Enterprise Zone Applications with the Commonwealth of Pennsylvania Department of Community Affairs for Financial Assistance for 1990."

Which was read.

Also,

Bill No. 743

A Resolution entitled, "Resolution Authorizing the filing of an application for financial assistance for the renovation of the Regent Theater by the City of Pittsburgh with the Department of Community Affairs, Commonwealth of Pennsylvania."

Which was read.

Also,

Bill No. 744

A Resolution entitled, "Resolution providing for the 1990 Fifth and Forbes Public Space Improvements Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$250,000 in City Bonds Funds as the Local Matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 745

A Resolution entitled, "Resolution providing for the 1990 Community Development Investment Fund Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$325,000 in Urban Development Action Grant Repayment Funds as the local matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania

Department of Community Affairs."

Which was read.

Also,

Bill No. 746

A Resolution entitled, "Resolution providing for the 1990 Neighborhood Housing Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$500,000 of certain Pittsburgh Home Ownership Program Funds as the local matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 747

A Resolution entitled, "Resolution providing for the 1990 Pittsburgh Construction Loan Fund Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$200,000 of certain Pittsburgh Home Ownership Program Fund, Community Development Block Grant Funds and Urban Development Action Grant Funds as the local matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania Department of Community."

Which was read.

Also,

Bill No. 748

A Resolution entitled, "Resolution providing for the 1990 Rental Housing Development and Improvement Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$1,000,000 of certain Tax Exempt Revenue Bonds, Community Development Block grant Funds, Rental Rehabilitation Program Funds and Developer Private Investment Funds as the local matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 749

A Resolution entitled, "Resolution providing for the 1990 Housing Recovery Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$800,000 of certain Pittsburgh Home Ownership Program Funds, Developer Private Investment Funds, Community Development Block Grant Funds, Urban Development Action Grant Funds and Private Lending Institution Funds as the local matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 750

A Resolution entitled, "Resolution providing for

the 1990 Minority Business Development Fund Cooperation Agreement and the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$100,000 in Community Development Block Grant Funds as the local matching share for a grant applied for in an application for Financial Assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 751

A Resolution entitled, "Resolution providing for the 1990 Streetface Program Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$200,000 of Urban Development Action Grant Repayment and Developer Equity Funds as the local matching share for a grant applied for in an application for the Financial Assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

Also,

Bill No. 752

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in an amount not to exceed \$250,000 to the Pennsylvania Department of Community Affairs for the Fifth and Forbes Public Space Improvements Program."

Which was read.

Also,

Bill No. 753

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in an amount not to exceed \$325,000 to the Pennsylvania Department of Community Affairs for the Community Development Investment Fund Program,"

Which was read.

Also,

Bill No. 754

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application of Financial Assistance in an amount not to exceed \$200,000 to the Pennsylvania Department of Community Affairs for the Pittsburgh Construction Loan Fund,"

Which was read.

Also,

Bill No. 755

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in an amount not to exceed \$500,000 to the Pennsylvania Department of Community Affairs for the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 756

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in an amount not to exceed \$1,000,000 to the Pennsylvania Department of Community Affairs for the Rental Housing Development and Improvement Program."

Which was read.

Also,

Bill No. 757

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in an amount not to exceed \$800,000 to the Pennsylvania Department of Community Affairs for the Housing Recovery Program."

Which was read.

Also,

Bill No. 758

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial Assistance in the amount of One Hundred Thousand (\$100,000.00) Dollars to the Pennsylvania Department of Community Affairs for the Minority Business Development Fund."

Which was read.

Also,

Bill No. 759

A Resolution entitled, "Resolution Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for Financial

Assistance in an amount not to exceed \$200,000 to the Pennsylvania Department of Community Affairs for the Streetface Program."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 788

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Westside Community Development Corporation for professional services relative to the development of a Commercial Service Center in Broadhead Manor Public Housing, at a cost not to exceed \$29,000.00, chargeable to and payable from Code Account 1103 (100305), Miscellaneous Services, Department of City Planning."

Which was read.

Mr. Ferlo moved to recommit Bill No. 788.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Mr. Regan presented

Bill No. 827

Report of Committee on Public Safety for May 23, 1990 transmitting one resolution to Council.

Bill No. 770

A Resolution entitled, "Resolution providing for an Agreement or Agreement with an Instructor for the Training Academy and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 828

Report of Committee on Engineering and Construction for May 23, 1990 transmitting one resolution to Council.

Bill No. 734

A Resolution entitled, "Resolution amending Resolution #321, effective April 3, 1990, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Renovations of Various Public Buildings; and providing for the payments of the costs thereof," by amending the title to include the purchase of a used file storage system and furnishings."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, may I request information first of all? I had requested a post agenda or a hearing at your pleasure that you would chair with reference to the problems the City is going to be confronted with with the Airport and coming up with some plan of our own. I was delighted to find out that the Mayor was also very concerned but what's happening over there we don't know and I think it's imperative that we all work together and we hear from the people that are involved. Have you scheduled that hearing as yet?

The Chair:

Yes. Mr. Perry is in the process. Mr. Perry, what date is that?

Mr. Perry:

It's in June.

The Chair:

It's within the next two weeks.

Michelle Madoff:

Fine.

And there was also a hearing on Lojack because we have such a tremendous number of auto thefts that they had offered to come in and talk to us and bring a film provided we were available to do that and we're trying to get my

colleagues together.

On another matter. I had a call from the media, the newspapers, the other day, informing me of my statements made by Mr. Ferlo and by yourself, Mr. President, about problems we're having in the development of various projects in the community. While I was caught off guard, I still have some very strong feelings which I expounded on.

I think the time has come that this Council, either a part or separately from, trying to have a hearing or move forward to see that we have a connection to the Airport, but that we have job opportunities and development here.

We need to find out what it is that our developers feel, from their mouths, what is it that they find that is an obstructionist delaying the development.

The reason I say that is, as I reflect back on the few years that I've been here, I can think of four specific major episodes where developers have decided enough already. I'm going to do this project, or if I don't do this project, so be it. Or, I'm going to take my projects and my money and go elsewhere.

One of the major developers of this community has now told me that he's taking everything out of the City and going to the suburbs and I don't think it's any secret that it's Zamagias.

Something is wrong. I don't know just what that problem is. What is happening with Planning? I don't think there's anybody on this Council or in the Mayor's Office that doesn't want to have planning be done appropriately so that we don't have helter skelter design. But, my goodness, why should it take years and years and years and years to come back with answers? Why do we have obstacles put in the way of developers? Why do we discourage developers?

And then we have information in the media that we're going to have a \$50 million shortfall in our taxes this year but we're being obstructionists.

I don't know, but I think we ought to consider having major developers who want to develop in the community come and tell us what it is, the problems they're being confronted with, and what they feel we could do to expedite development.

I'm not talking about, and I want to be very clear on this, I'm not talking about special favors to one developer over another. I'm talking about everybody being treated equally. I'm talking about not putting unnecessary delays and obstacles in their way and getting the Administration to review the Planning Department - I don't think this is news to them; I'm sure they've heard the same complaints we've had - and try to resolve this impasse because the longer it takes to bring these projects to fulfillment the less jobs we have, the less our tax base is, and we're not helping ourselves.

I don't know that we can just sit by idly and say, "Well, so be it." Maybe we need to have a hearing and hear from developers as to what the problems are and I throw that on the table to see if anybody feels in any way that that might be an appropriate procedure.

Mr. Ferlo:

On the same issue, Mr. President. I believe Michelle is specifically talking about the delays in the construction of the Grandview Hotel.

Michelle Madoff:

No, I'm not. I'm talking about Zamagias. I'm talking about what happened with Rauch

and the waterfront. We could go on and on and on and on. I would never do that on one issue. Never.

Mr. Ferlo:

Just to clarify, you're talking about a general meeting?

Michelle Madoff:

That's correct.

Mr. Ferlo:

Just to clarify then, Mr. President, one of the concerns that has been raised which is part of this discussion is the delays in the Grandview Hotel.

I would ask that in addition to this meeting on the general issue of development and meeting with developers, I do think we are owed an explanation from the Administration, Mr. Mistick and, in particular, regarding the specific development of the Grandview Hotel. What are the specific problems that the Administration and the Planning Department have with the development? We meet with people directly involved and we get one side of the story and I think we need to hear an explanation from those in the Planning Department. And I think it should be part of the meeting that Michelle has requested.

Michelle Madoff:

I would assume that anybody who has got a project underway would want to come and talk to us about what the problems are. Somebody has got to coalesce this conflict and bring the parties together. I agree with that. But it isn't just enough to say, "Let's hear the other side because we don't want to look like we're playing favorites. This project happens to be in my dis-

trict and it might look like I'm pushing it." It has nothing to do with that.

Jack Wagner and I were assigned to a committee by Mayor Caliguiri several years ago and we were charged to look at all the entertainment development projects and we made recommendations. It was a unanimous decision by the esteemed committee that we just happened to be representing Council. But very little has happened and years have gone by. How long are we going to allow that to happen?

The Chair:

Why don't we ask Director Downing for a status report on the Grandview Hotel Project? And based on that status report, within the next week or two, we can determine if we need a meeting on that project and also look into setting up some kind of a meeting in regard to planning and development in general.

Michelle Madoff:

May I suggest that you start by talking to the Mayor's Executive Secretary and the Mayor, Mr. Mistick, as to where and how we should proceed. I don't want to take on the Administration; that's not my intention at all. I want to know how Council can work with the Administration to solve these problems.

You must understand, everybody, we've got a new Administration, in a sense. Not only is Sophie new, and she's looking at it from a different side than she did sitting on Council, but we have new people over there. Maybe Joe Mistick is not aware of the history of the delays and obstacles that developers have been confronted with in this community and perhaps we need to sit down or have it all out in the open and see what we can do to resolve this.

Mr. Regan:

I just wanted to agree with the Councilwoman on that. I think that in any way that we can help to cut red tape so that we don't send a negative message out around the country that it's tough to do business in Pittsburgh.

Michelle Madoff:

That's right. That's what the message is.

Mr. Ferlo:

On another issue. In my absence over the weekend, apparently, some controversy has developed once again on the Three Rivers Arts Festival. I believe this time it has to do with a particular Steelworker Statue. I have not seen the statue so I cannot speak emphatically on the issue.

I am in receipt of a letter from the Croatia Fraternal Union which is addressed to our Controller, Mr. Flaherty, and I believe it's being FAXed to each Member of Council individually. I'd like to just read it briefly. It basically expresses the following:

"The Croatia Fraternal Union of America and it's 90,000 members join with you in your protest against the Steelworker Statue in Point State Park for the Three Rivers Arts Festival.

We view the word "hunky" in the same context as "kike", "nigger", "wop", "pigsty", "WASP", and every other ethnic and racial slur. These are words that are unacceptable to the Croatia people."

I think the basic issue, if I understand it, and again I want to clarify not seeing the statue, nor am I for censoring any type of artwork in the festival, in the museum or anywhere else. But I

do think that given the importance that ethnic and racial discrimination plays in our City and certainly in our society today, I think as a legislative body, as a group of elected officials, I think we need to be concerned and supportive and speak out against any type of racial and/or ethnic slur. I don't know what was intended or what the viewpoint of the particular artist from New Mexico is.

I would suggest, and I'd like to do this in the form of a motion, Mr. President, if I may be permitted, I'd like to make a motion that on behalf of Council we send a letter to the organizers of the Three Rivers Arts Festival and basically ask them to meet with the Croatia Fraternal Union and others who have expressed opposition to the statue. For purposes of trying to talk about the issue, possibly some compromise can be worked out.

The Fraternal Union explicitly wants the statue removed. I don't think that's the best idea but I think the two groups should meet and I'd like to at least urge that Council request, since we do fund the Festival, that we request the organizers to meet with the Croatia Fraternal Union leadership and others who have expressed opposition.

One suggestion I would make is if the statue does remain, as I think it should, to see if it would be possible to see if there could be some appropriate signage there generally talking about racial slurs and racial and ethnic comments and slurs in this society. I think that's the best idea.

But I'd like to make a motion that Council urge the two parties and others who have opposition to the statue to meet and discuss the issue.

The Chair:

Is there a second on the motion?

The motion dies due to the lack of a second.

Mr. Coyne:

Jim, I was just going to make the statement that I don't think it's really any of Council's business to be getting involved in this. I think the artist had no malice intended at all when he made this statue and for Council to use the veiled threat of funding to the Three Rivers Arts Festival I think smells just like the United States Congress or the Supreme Court disputing art displays throughout the Country because of what some people would deem as being obscene. I believe that if government starts using their leverage when it comes to art displays, it's beginning a path down a dangerous road and I don't think we have any business doing that.

Mr. Ferlo:

Just to clarify. I agree with Councilman Coyne. I just want to clarify that I made the comment about the funding only to indicate that as an organization this activity not only happens on public property but that we fund the organization. I think there's a direct connection and we have an obligation, especially when we have received information from an organization like the Croatia Fraternal Union to address the issue. I believe that if there was a statue there that used the phrase "wop", I know the ISDA and others and myself would be concerned and would be outspoken and I think if there was a statue there that in some way made a derogatory reference to Blacks in the City of Pittsburgh, I'm sure there would be protests and picketing and opposition, as well there should be. I think it's perfectly appropriate for Council to speak out on an issue when it involved racial and/or ethnic

slurs.

Mr. Regan:

I agree with the Councilman.

Mr. Ferlo:

You should have seconded my motion.

Mr. Regan:

I should have and I apologize. But I wanted to comment before I seconded your motion.

I think it's an absolute insult to the Slavic community and I don't think it should be. I don't think you can just insult people and then say that the government shouldn't get involved. These are people that helped build America and worked in the steel mills. If it was a derogatory remark 50 years ago, it's still a derogatory remark today.

I think it's an absolute insult to the Slavic community and I think that we should meet with somebody from the Three Rivers Arts Festival and register our protest as I'm registering my protest.

They can get around any issue by saying it's art. That's bullcrap. If you insult a group of people, it's an insult. And I would like to register my protest about that statue. It shouldn't be there and I'll guarantee you -- It shouldn't even be down there. I don't mind if they put art in their living room, that's their business. But when you insult the Slavic community in a City that has a big majority of Slavs, then I think it's an absolute insult.

Mr. Ricciardi:

Mr. President, I'm not in receipt of the

letter Mr. Ferlo spoke about, and I hate to drag this on a little longer and I might have missed the excerpts, but I'd like to ask Mr. Ferlo, did they ask for a meeting, Councilman Ferlo?

Mr. Ferlo:

They want the statue removed. I was suggesting that we, on behalf of Council, communicate to the Arts Festival and ask that they meet with the Croation Fraternal Union and others who have expressed opposition to the statue and see if some meaningful dialogue could come out of it. That was my motion.

Mr. Ricciardi:

I would second that motion of the meeting between the groups if Mr. Ferlo would again make the motion.

Mr. Ferlo:

I think the appropriate motion is to move to reconsider the motion and I'll restate my motion if there's going to be a second.

The Chair:

Would you, please?

Mr. Ferlo:

The motion, basically, is that Council communicate to the organizers of the Three Rivers Arts Festival for the purposes of asking them to meet with the Croation Fraternal Union and others who have expressed opposition to the ethnic slur and derogatory nature of the Steelworker Statue in hopes of working out a compromise and/or meaningful dialogue on the issue.

Mr. Ricciardi seconded the motion.

Mr. Cohen:

Mr. President, I don't think that it's the statue itself that is offensive. I think it's the term that was applied to the statue. I personally is not familiar with that term. If that term is, in fact, offensive to that community, then I support the motion. And perhaps the way to go about this is not to talk about removal of the statue, but to talk about how we can make sure that no one thinks that there is a public imprimatur, a public support, of that offensive term.

So, I will support the motion not in a way to remove the statue but to do something about the term that's applied to it. If it is an offensive term, then we should object to it.

Mr. Ferlo:

Apparently either I'm not making myself heard this morning or we're all still not awake. But I thought I explicitly said that the statue, in my opinion, should not be removed.

And in reference to Mr. Cohen's comments, I thought I reiterated one suggestion which I thought is in keeping with the expression just outlined by Mr. Cohen, and that is, I think we should find a silver lining in this and talk generally in the public about the issue of racism and the issue of ethnic slurs and what it means to people. I think it's perfectly suitable as a compromise for some appropriate sign to be in and around the statue because, as Mr. Cohen has pointed out, it's not the statue per se but it's the reference on the statue to Steelworker Hunky.

I think we could turn this into a positive statement by trying to educate the people, especially a lot of the younger people who come to the park as part of the Festival. Let's speak openly about a problem that we have in our society, and that is racism and ethnic slurs. I think something positive could come out of this in

terms of educating ourselves and the public about the impact of racism and ethnic slurs.

The Chair:

So, the motion on the floor is for the organizations to meet with the Three Rivers Arts Festival.

Mr. Ferlo:

That we encourage the Festival to meet with the groups who have expressed opposition.

Mr. Ricciardi:

Obviously, it's a very delicate issue. It's an issue of freedom of speech. It's an issue of dignity of a group of people and the issue of art, especially when it comes to public funding, either direct or indirect.

The reason I support the motion, I think communication between all groups and people involved is very good and I think the motion is exactly that, for people to get together and discuss the issue. And in this term, the language that is being used on the back of the Steelworker, I have not seen it. But obviously we're touching upon different issues here, art, free speech, and the dignity of a group of people. I support the motion.

Michelle Madoff:

The reason I have stayed somewhat silent on this, and that's not my style, is that it appears to me that any group that wants to meet with any other group will do so on their own. I don't think they need, "they" meaning Croation people, a representative of that group, nor the Three Rivers Arts Festival, needs this Council to be an intermediary for them to get together and talk.

If the person sending the letter, and I think it's interesting sending it to Mr. Flaherty, were to pick up the telephone and say, "We would like to talk to the Three Rivers Arts Festival representatives, we find that there's a problem." They would not be refused any discussion. So, our doing this puts us in the position of saying that we're either racist or we're anti-ethnic. I don't think this Council, from my experience of this particular body, has one iota of discrimination. That's my sense of this body. And we're being forced to look like we're protecting what we really believe, and I think that's unfortunate to be put in that kind of position.

In addition, I have read with interest what the artist has said, about it was his intention to honor the steelworker that built this Country.

I'm going to say something that I find rather amusing and I think rather sad. Comments have been made to me that the statue looks like it is a Black person and that perhaps that's the reason for the discrimination. I think that if you look at the statue, it's very possible that may have been the intent of the artist and that's something I would like to ask. Was he honoring a Black person who sweated his guts out and his blood out in the steel mills that build this country. Now we're getting a reverse discrimination by saying, "Well, that's really not the Hunky; it's because it's a Black person."

I don't think we should be putting our noses into it. I think we should encourage the Croation body who is very capable and has very excellent representation because I know those people and they're good people, to meet with Three Rivers representatives without our intervention. That's my suggestion.

The Chair:

I'd like to make a comment and I haven't. I don't think we should dance on the issue. I

think we should either call it as we see it or else not even vote on the issue. And if we think it's an ethnic slur, have them remove the ethnic slur, request that be done, or remove the statue, and go from there with it.

Michelle Madoff:

Mr. President, I don't know what the word "hunky" means. I'm from Canada originally, and I don't know the term. I know people call each other hunkies when they see them in the steelmills and I've worked with steelworkers for years. I never knew it was a slur. Maybe it is and I'm not aware of it. So how could I vote on something I know nothing about?

Mr. Regan:

That's tough to believe, Councilwoman. As smart as you are, that's tough to believe. And I think you're very bright.

Michelle Madoff:

Well, I'm sorry. I do not know that as a slur. That's true. That's why I think we ought to keep our noses out of it.

The Chair:

Back to the issue. We have a motion on the floor for the two organizations to meet and discuss about resolving this issue immediately.

Mr. Ferlo:

Roll call vote.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES 2

(MR. COYNE AND MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

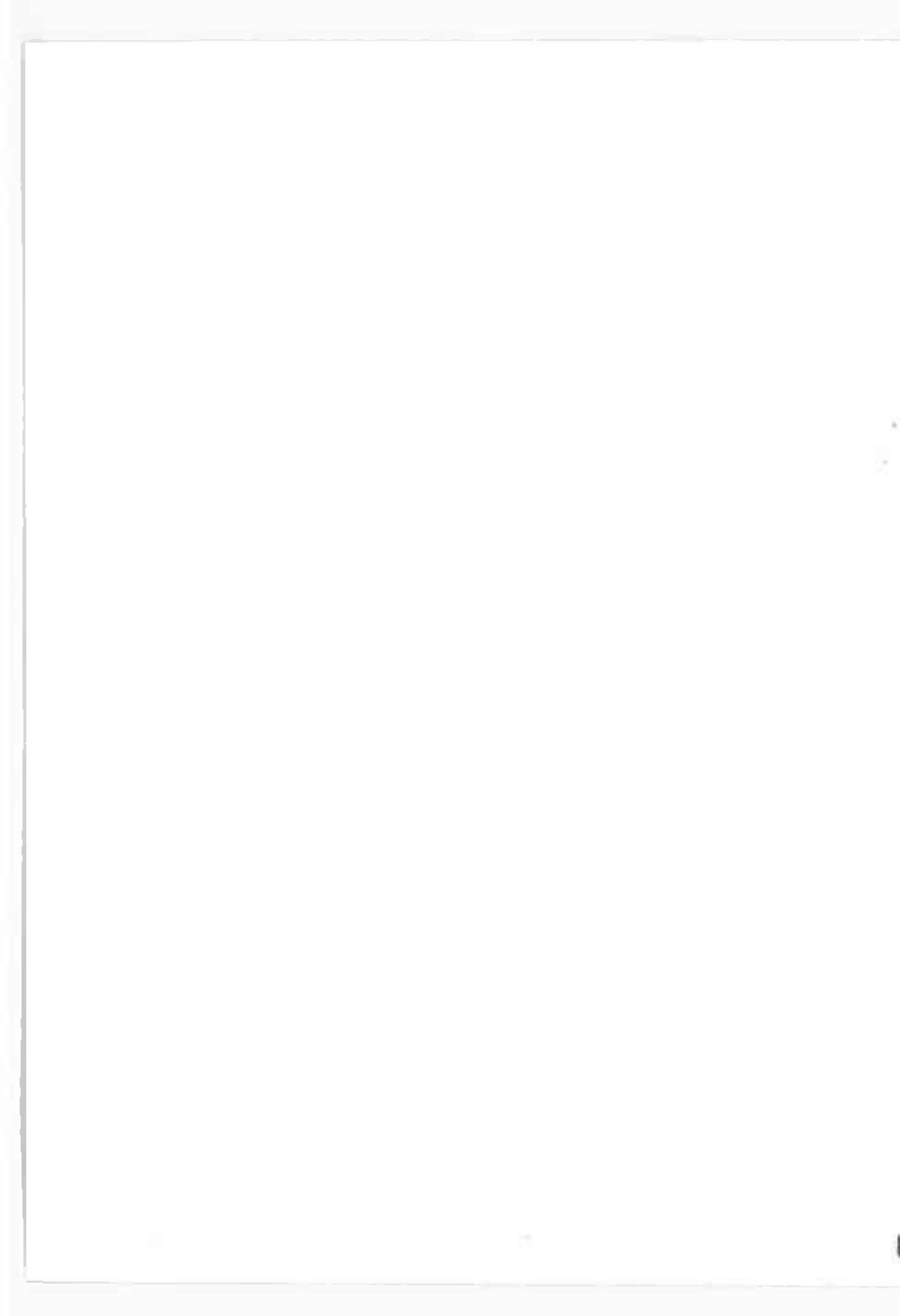
Mr. Ferlo:

Very briefly, Mr. Chairman. Could we please receive a report from the Administration regarding the Zone 5 Police Station which is many, many months past due in terms of getting the police back in there? I heard rumors that there are significant problems associated with engineering and design of the building and major mistakes made by either the City and/or the contract and removal of certain retaining walls in the building and that's what has delayed and caused cost overruns and everything else.

I don't know if that's true at all but I'd like to hear a report from the Mayor and/or Director Cannon regarding Zone 5. We would like to get them back into the Police Station.

And on the motion of Mr. Milliones

Council adjourned.



MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, June 5, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to have a moment of silence for the Councilmen from Markleysburg, Fayette County, that died yesterday. Council President Robert Friend and Councilman Keith Cuppett, and Robert Friend's two sons. They died as a result of electrocution

PRESENTATIONS

Mr. Darkins:

I'd like to ask Dr. Jackson Loman to come forward and also Michelle Birney and Ms. Butcher.

Mr. Darkins presents

No. 853 WHEREAS, in 1987 the Mayor's Commission on families organized the Mayor's Teen Council and the adolescent resource network to encourage youth leadership and address teen pregnancy and other dilemmas confronting today's youth; and

WHEREAS, the Teen Council is composed of 28 students, male and female, in their junior year of high school representing public and private schools including alternative programs; and

WHEREAS, each member serves for two years; and

WHEREAS, the Mayor's Teen Council provides a forum for teens to assess their needs and develop strategies for implementation; and

WHEREAS, the Council also acts as a conduit encouraging teens to feel good about themselves and how to make wise and productive choices.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Mayor's Commission on Families for organizing and supporting such a significant task force, whose purpose is to inform young people that the choices they make today will follow them for years to come and allow them to take an active role in planning their needs within the community.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

I would like to have the student that this is being presented to to come today along with Dr. Jackson and Dr. Ellis.

Ms. Birney:

On behalf of the Mayor's Teen Council, I'd like to thank the Mayor and Members of the Council and a special thanks to Councilman Darkins for this opportunity to be recognized.

Dr. Loman:

I would also like to thank City Council, Councilman Darkins, for recognizing the Mayor's Teen Council and the efforts of the Mayor's Commission on Families and Adolescent Re-

source Network and organizing the Teen Council.

I would also like to thank the Pittsburgh Public Schools, Job Corps which is one of the alternative educational facilities that works very closely with us, our youth leadership coordinator, Dr. Lee Wright Ellis, and the many, many others who have been providing efforts and support throughout the years to enable the Mayor's Teen Council to do the things that it has been doing.

One last thought that I'd like to leave you with is that last year the Mayor's Teen Council selected several priorities for focus in a hearing that they conducted with City leaders across the City and County. Their top priority was family and I want to encourage the City Council to continue to address that issue through the work that you're doing. Thank you.

Dr. Ellis:

Good morning. I'm Dr. Lee Wright Ellis and I'd like to thank Councilman Darkins and the other distinguished members of the City Council for giving my kids a chance to receive this honor because we have great kids in the City of Pittsburgh and they're doing great things. And if we encourage them, they'll encourage other young people to do great things too. Thank you.

Ms. Butcher:

I'm the President of Pittsburgh Job Corps Community Relations Council and I would also like to thank the Council and also Councilman Darkins.

As you know, Job Corps is for young people. Young people are our future. And I thank you very much.

The Chair:

Thank you all.

Mr. Milliones:

Would Mrs. Williams and Mrs. Doris Brevard come forward, please?

We have two resolutions to read this morning and I will read one immediately followed by the other.

Mr. Milliones presents

No. 854 WHEREAS, Vivian Williams is the Principal of the Madison Elementary School, with a student body of 99 percent African-American, has contributed much to elevate and accelerate the academic achievement of her students; and

WHEREAS, 70 percent of Madison's student body come from Robinson Court of the Allequippa Terrace Public Housing project and live in single parent families with nearly 80 percent living in low income census zones and receive free and reduced lunch; and

WHEREAS, Vivian Williams has been Principal of Madison Elementary School since 1981 and her students have given an equally impressive performance; and

WHEREAS, since 1986 the students at Madison Elementary have closed the achievement gap in reading four years in a row and missed closing it in mathematics in 1989 by only one point; and

WHEREAS, Vivian Williams, the teachers, professional and support staff of Madison Elementary School, deserve recognition and commendation for this unusual accomplishment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh join in offering our congratulations to Vivian Williams, the dedicated staff of Madison Elementary School and for their continued efforts to teach these children until they learn.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 855 WHEREAS, Doris Garrett Brevard, a native Pittsburgher and a product of the Pittsburgh Public School System, is Principal of the Robert L. Vann Elementary School, with a student body which is 99 percent African-American, of which 70 percent live in single parent families in the Bedford Dwellings Public Housing; and

WHEREAS, Doris Brevard has been Principal of Vann since 1968 and accumulated an astonishing academic record by closing the achievement gap between African-American and White students in the PPS in reading twice and mathematics three times; and

WHEREAS, in 1989 Vann Elementary School was the highest achieving elementary school in the Pittsburgh Public School System with 91 percent of its students scoring at or above the national norm in mathematics, exceeding the White norm of 74 percent; and

WHEREAS, Doris Brevard, the teachers, professional and support staff of Vann Elementary School, deserve recognition and commendation for this unusual accomplishment, especially since so many believe that African-American children who are poor, who

come from single female-headed households, who live in low income census zones, high crime areas, and attend predominantly African-American schools, cannot excel.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh join in offering our congratulations to Doris Garret Brevard, the dedicated staff of Vann Elementary School offering no excuses for their children, having high expectations which the students will meet and even exceed, and exemplifying that they will be satisfied with nothing less for the outcome is excellence.

Mr. Milliones moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Milliones:

It gives me great pleasure, of course, to honor both of these women whose students have excelled in terms of academic performance in the Pittsburgh Public Schools, particularly because there is the belief that when a school is majority African-American and come from low income families and housing projects, the stereotypes that go along with that that these kids cannot learn. In fact, as I just read, as you just heard me indicate, last year Mrs. Brevard's kids, 91 percent of her kids scored at or above the national norm in mathematics, exceeding any school, Black or White, in the City of Pittsburgh.

So, I think it's really this kind of performance on the part of these Principals and, as a result, on the part of their students, that really has made Pittsburgh Public Schools one of the top urban school districts in the Country.

And, indeed, it gives me a great deal of

pleasure, since when I was on the Board of Education spent almost 11 years focusing in on the question of how well our students can do. These schools have received national recognition from the House Education Committee on Education and Labor, and we're just absolutely proud and hope that they will continue the proud traditions that they have set for their youngsters.

Mrs. Brevard:

Thank you, Dr. Milliones, and a special thanks to City Council.

We will do our best to continue to maintain our reputation at Vann School.

Mrs. Williams:

I'd like to thank Dr. Milliones and City Council for this great honor.

You know, the educating of our young people, our children and our young people, is serious business. They are our future and how well we do our jobs depends upon the kinds of citizens they're going to be in the future and the kinds of leaders we're going to have taking your places.

I take a very serious approach to the educating of our children. I've always done so and I hope to do so for as long as I remain in my position.

I thank you again for this honor.

The Chair:

Thank you.

Mr. Ricciardi:

I would like to ask Richard Bruce, the Assistant Chief Enforcement Officer of the City

of Pittsburgh, his colleagues and other neighborhood leaders and volunteers to please step forward.

Mr. Ricciardi presents

No. 856 WHEREAS, Paint Your Heart Out Pittsburgh is a program in which Pittsburgh volunteers paint approximately 75 homes annually for low-income, elderly and disabled homeowners; and

WHEREAS, Paint Your Heart Out Pittsburgh is a volunteer public-private partnership by the City of Pittsburgh, PPG Industries Foundation, the Pittsburgh Clean City Committee and the Neighborhood for Living Center; and

WHEREAS, many other local businesses, neighborhood groups and civic organizations provide support for the project; and

WHEREAS, Paint Your Heart Out Pittsburgh is now in its fifth year; and

WHEREAS, in 1990, a group of Pittsburgh volunteers went to Tampa, Florida to help with their "Paint Your Heart Out Tampa". These "ambassadors of goodwill" from Pittsburgh used their own vacation time and raised the funds themselves to cover gas and food for the project; and

WHEREAS, the following people took part in the project: Richard Bruce, Tom Coppola, Larry Dixon, Tim Gross, Brian Hill, Joseph Laffey, Sr., J.T. and Marilyn Lynch, Colleen Theresa Lynch, Frank Novak, Tony Ovesney, Kenneth Seisek, Elaine Wozniak, John Yurio and Randy Zotter.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Paint Your Heart Out Pittsburgh and especially the Pittsburgh volunteers who

gave their time to travel to Tampa to help them with Paint Your Heart Out Tampa.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, Mr. President and thank you, Members of Council.

As everyone here knows, Paint Your Heart Out Pittsburgh has been very successful in helping many low-income, elderly and disabled people maintain their homes. And now special recognition to this group of people who used their own time and resources to travel to another city to introduce our program there.

It's a pleasure to introduce Richard Bruce who is an employee of the City of Pittsburgh who first introduced this program to the City of Pittsburgh five years ago. I'd like to ask Richard to please say a few words.

Mr. Bruce:

Thank you very much. I don't want to take up much of your time. I want to thank Councilman Ricciardi for having us here today and all the Councilmembers here who I know very well through many of the things that we work with them every day.

But I would also like to thank our team that went down to Tampa who did invest their time and their efforts to go down there and I think they gave us one of the worst houses in Tampa to paint because it was worse than any of the ones we've had here in the City of Pittsburgh. But I'd like to thank everybody that went with us. There are a few people that are absent here

today and I'd like to thank them also.

It was a good project and I think it's a good project for this year also. It will be done on September 15th this year and we hope to see a lot of you out there. Thank you very much.

Also, what I'd like to do is give this to Councilman Ricciardi as an honorary member of the Tampa Paint Your Heart Out team.

I would also like to say that these T-shirts were also paid for by us through our fundraising. The City of Pittsburgh was put on there, "Pittsburgh Goes To Tampa". This was designed with the help of some of our people on the team and was designed by one of the members of the team that went to Tampa. Thank you.

Mr. Ricciardi:

I'd also like to ask Tom Coppola to please speak for many of the neighborhood groups and neighborhood volunteers who spent a lot of time not just on this project going to Tampa but throughout the Pittsburgh neighborhoods.

Mr. Coppola:

Thank you, Councilman Ricciardi, and thank the rest of the City Council for having us here today and honoring us.

This is a labor of love. It's one way to help our senior citizens. This project which we will be doing, like Rich said, on September 15th again this year and hope to paint 75 homes, mainly senior citizens in the Pittsburgh area.

The first year I got involved, I sort of got roped into it. But after doing it the first year, I went home and I was so tired. But I went to bed tired, hot, worn out, but I went to bed with a smile on my face.

So, we'd like to try to get more community organizations. I know I'm not talking to very much of a crowd here today but every year I put out a challenge to the rest of the community organizations that if you're proud of your community, for you to come out and help somebody in your community paint their house. Thank you.

The Chair:

Thank you.

The final resolution, there is no one here to receive this but I would like to read it in its entirety because it pertains to a meeting we're having later this week with some people involved in the new airport project.

The Chair presents

No. 857 WHEREAS, the new Greater Pittsburgh International Airport will be completed and in operation by October, 1992; and

WHEREAS, the new airport is the most significant economic development project in the Pittsburgh region in decades; and

WHEREAS, it is estimated that the new airport will create 15,000 new jobs and generate hundreds of millions of dollars of new monies into the regional economy; and

WHEREAS, to ensure that the maximum benefits are realized from the new airport development, it is critical that the proper transportation and road system be in operation when the new airport opens; and

WHEREAS, the recent announcement of major reconstruction to the Fort Pitt Bridge and Tunnels magnifies the need for an additional and alternative route between Downtown

Pittsburgh and the new Greater Pittsburgh International Airport; and

WHEREAS, the only realistic transportation alternative that can be implemented by the time the new airport opens is the Corliss Busway which could be utilized to bypass the Fort Pitt Tunnel and the Greentree Hill congestion.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls for the commitment of all available resources from the City of Pittsburgh, Allegheny County, Pennsylvania Department of Transportation, Port Authority of Allegheny County, the Urban Mass Transit Association and others, to ensure that this project moves forward as expeditiously as possible, and is completed and in operation when the new Pittsburgh International Airport opens.

Mr. Milliones moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

I'd just like to comment and maybe some other Councilmembers do also. I commend the Allegheny County Commissioners for having the foresight for this project, particularly the Chairman, Commissioner Tom Foerster. It really is a big, big project and its critical that Downtown Pittsburgh and all points east of Pittsburgh can tie in to this new airport and the benefits related to it.

The 15,000 new jobs may be a minor estimate, and if we don't have the appropriate road system, particularly for mass transit back and forth, City residents will not benefit as a result of those jobs. The jobs will go to people that live in

the vicinity of the new airport and west into Beaver County and other areas.

So, it's critical, in addition to the southern expressway that's talked about a whole lot, for us to have a way around the tunnel or the mountain to the new airport. And this really is the only conceivable way in which that can happen.

There is a lot of discussion about the MAGLEV system. The MAGLEV system is a great idea but the MAGLEV system won't happen for another 7 or 8 years. And by that time the new airport will be in operation for at least 5 years.

Consequently, we need some alternative and I personally think this is the only realistic alternative. And hopefully we can discuss this at Thursday's meeting. Thank you.

Mr. Cohen presented

No. 834 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Demolition of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof." (COUNCIL DISTRICT #1)

Also,

No. 835 Resolution further amending Res. No. 1327, eff. Dec. 23, 1982, as amended by Res. No. 820, eff. Sept. 30, 1983, as amended by Res. No. 993, eff. Nov. 13, 1986, as amended by Res. No. 612, eff. Aug. 3, 1989, entitled, "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation

of a portion of Ft. Pitt Boulevard - Eastbound and the Rehabilitation of the Market Street Overpass; and providing for the payment of the cost thereof," by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, by increasing the total project allocation by \$94,000.00 from \$432,000.00 to \$526,000.00.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 836 Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of a Trash Collector/Sweeper and a Gang Mower at a cost not to exceed \$30,000.00, chargeable to and payable from Capital Project Fund #4-30-01-0001-87 (GS87-03), Miscellaneous Equipment for City Departments (Bond Fund), Department of General Services.

Which was read and referred to the Committee on General Services.

Mr. Ferlo presented

No. 837 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Manchester Citizens Corporation for the sale of Block 7B Lot 235 in the 21st Ward of the City of Pittsburgh. The purchase price is \$1,200.00. The lot contains approx. 1,153 sq. ft. The redeveloper is a Pennsylvania non-profit corporation with an office at 1400 Nixon Street, Pgh., PA 15233. The officers are: Betty Jane Ralph, Chairperson; Ron Suber, Vice-Chairperson; Tillie Janicki, Secretary; Arthur Ralph, Treasurer; and Stanley Lowe, Chief Executive Officer. (RESIDENTIAL REHABILITATION) (COUNCIL DISTRICT #1)

Also,

No. 838 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Manchester Citizens Corporation for the sale of Parcels 234 and 284 (1007 and 1013 Manhattan Street) in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27. The purchase price is \$2,300.00. Each parcel contains approx. 1,153 sq. ft. The redeveloper is a Pennsylvania non-profit corporation with an office at 1400 Nixon Street, Pgh., PA 15233. The officers are: Betty Jane Ralph, Chairperson; Ron Suber, Vice-Chairperson; Tillie Janicki, Secretary; Arthur Ralph, Treasurer; and Stanley Lowe, Chief Executive Officer. (RESIDENTIAL REHABILITATION) (COUNCIL DISTRICT #1)

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Milllones presented

No. 839 Resolution providing for the issuance of a warrant to Donald Surrena for full and final settlement of his case at No. PHRC-E-35895, in the Pennsylvania Human Relations Commissions, arising from an employment discrimination charge in 1985 in the City of Pittsburgh (for the position of Firefighter), at a cost not to exceed \$3,000.00, chargeable to and payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

Mr. Milllones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 840 Resolution providing for the issuance of a warrant in favor of Mellon Bank, Corporate Trust Administration, in the amount of \$17,107.32 in payment for paying agent fees in connection with various City of Pittsburgh General Obligation Bond issues, chargeable to and payable from Code Account 1063, Miscellaneous Services, Department of Finance.

Also,

No. 841 Resolution transferring the sum of \$25,000.00 from Code Account 1064, (106401) Supplies and Materials, to Code Account 1067-9 (106799) Workers' Compensation, Department of Finance. This reason for the transfer is that a number of 1989 medical bills have been paid in the first quarter of 1990 without carrying over prior year funds, and an additional employee went on Workers' Compensation requiring surgery and physical therapy.

Also,

No. 842 Resolution transferring the sum of \$15,000.00 from Code Account 1060, Salaries, Regular Employees, to Code Account 1061-1, Premium Pay, Department of Finance. The reason for the transfer is that additional overtime has been and will be required to process: (1) a larger than usual number of wage tax refunds; (2) a large number of dunning notice payments for real estate tax and sewage; (3) a higher than normal turnover of personnel in both the wage and business tax sections has mandated the use of overtime to process tax receipts to the general fund.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 843 Resolution authorizing the City to assist the City of Denver in implementing a computer aided dispatch training program.

Which was read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 844 Resolution providing for a license to Paul Haverson and Rena Haverson for the installation, use, operation, maintenance, repair, renewal and for the removal of an underground electrical, telephone and cable television system on certain property of the City situate in the 14th Ward, designated as Block 127-H, Lot 100 in connection with electrical service to a private residence on Undercliff Road.

Also,

No. 845 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of an overhead and underground electrical system on certain property of the City situate in the 14th Ward, designated as Block 127-H, Lot 100 in

connection with electrical service to a private residence on Undercliff Road.

Also,

No. 846 Resolution providing for a license to Bell Telephone Company of Pennsylvania for the installation, use, operation, maintenance, repair, renewal and for the removal of an overhead and underground system on certain property of the City situate in the 14th Ward, designated as Block 127-H, Lot 100 in connection with electrical service to a private residence on Undercliff Road.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair presented

No. 847 Resolution transferring the sum of \$25,000.00 from Code Account 1005-2 Printing Municipal Record to Code Account 1006-9 Workers' Compensation, City Council & City Clerk's Office. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Milllones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 848 An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, by adding a new Chapter, 606, River Safety - Boating. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Also,

No. 849 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the development of a marina/restaurant complex near Three Rivers Stadium by Nitro Entertainment.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milllones presented

Bill No. 850

Report of the Committee on Finance for May 30, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 785

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the

amount of Five Hundred Thirty-Nine Dollars and Forty-Nine Cents (\$539.49) for payment, without previous authority of law, to Ozalid Corporation, for emergency repair to the Ozalid 715D Map Reproducing machine, and providing for the payment thereof."

Which was read.

Also,

Bill No. 786

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of One Thousand Eight Hundred and Thirty Dollars (\$1,830.00) for payment, without previous authority of law, to Cole Publications, for necessary census data on diskettes, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills

passed finally.

Also,

Bill No. 790

A Resolution entitled, "Resolution transferring the sum of \$20,000.00, twenty thousand dollars, from Code Account 1046, Index Code 104604, Salaries & Wages, Office of the City Controller, to Code Account 1046-1, Index Code 104612, Premium Pay, Office of the City Controller."

Which was read.

Also,

Bill No. 791

A Resolution entitled, "Resolution transferring the sum of \$10,000.00, ten thousand dollars, from Code Account 1046, Index Code 104604, Salaries & Wages, Office of the City Controller, to Code Account 1052-9, Index Code 105296, Worker's Compensation, Office of the City Controller."

Which was read.

Also,

Bill No. 792

A Resolution entitled, "Resolution amending Resolution No. 450, Item B, effective April 30, 1990, which authorized the sale of 2427-2429 Wylie Avenue, 5th Ward, Block 10 G, Lots 29 and 30, consisting of a two story, frame and brick house together with an adjoining vacant lot, to Carol M. Houston, for the sum of \$850.00."

Which was read.

Also,

Bill No. 793

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 851

Report of the Committee on Public Works for May 30, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 783

A Resolution entitled, "Resolution accepting certain property for a traffic signal pole and foundation located on the northwestern corner of Darragh Street at Terrace in the 4th Ward, 8th District, City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 784

A Resolution entitled, "Resolution granting unto the University of Pittsburgh, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a telephone and electrical conduit on a portion of the right-of-way of South Dithridge Street and Henry Street in the 4th Ward, 8th District of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 852

Report of the Committee on General Services for May 30, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 794

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase a computerized mapping and geographic information system (PAGIS) for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Millionses
Mr. Coyne Mr. Regan

Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Regan:

Mr. President, I promised the people in Northview Heights that I would wear this hat today, this baseball cap, at our meeting. The reason for it is, it's a cap that they've adopted to help fight drugs and alcohol in Northview Heights.

We're going to have a big meeting up there on the 15th at 7:00 p.m., and we're going to take a walk through the Heights and take the streets back over for the good people.

I'd like to ask any Councilmembers that would be able to be there to join us. I know Mr. Ferlo is coming to represent not only City Council but the Housing Authority. Of course, drugs and alcohol are a curse of this country for our young people.

So, as a tribute to the people of Northview Heights who are trying to do something to help, I wore this hat today in Council. Thank you very much.

The Chair:

Thank you, Mr. Regan.

Michelle Madoff:

Mr. President and Members of Council, I'd like to share a letter that I just sent off to

Safety Director Glenn Campell with copies to the appropriate parties.

Mr. Ferlo:

Glenn Campell?

Michelle Madoff:

Glenn Cannon. Excuse me. It's Monday.

Mr. Ferlo:

No it's not; it's Tuesday.

Michelle Madoff:

I'm in bad shape. I have a toothache; I'm on my way to the dentist. What can I say?

Glenn Cannon and it's Tuesday.

Are we ready for something in a more serious vein than my "Oldtimers Disease"?

My letter to Director Cannon reads:

"It has come to my attention that on occasion there is a shortage of off-duty police officers needed to cover special events.

Recently a representative of retired police officers informed me that there are recently retired police officers who would be willing to return to duty to direct traffic and maintain crowd control or, in light of current events, operate 911.

Have you considered using retirees in this manner? Is it a fact that retired police officers lose their certification and right to carry a weapon as well as their arresting powers the day they retire? If so, is this the reason for not doing so in the past?

Has anyone determined whether the City may legally hire retired police officers as needed? Is there any legal reason as to why the City could not use retired police officers? Would their pensions be adversely affected? Does state law allow for this practice? If not, and it is desirable, then perhaps state law could be amended.

If it is at all feasible to utilize this well-trained cadre of people to alleviate police shortages for emergencies, what a boon this would be for all concerned.

I look forward to hearing from you on this important matter."

What happened is that I've learned from people well placed in our Police Department, management level, that indeed there are times when we need to recall off-duty police officers and they're just not available. I thought, since I was contacted by a representative of some of the recently retired police officers, that that might be a way to subsidize their pensions and also to allow us to get some well needed help for the City when it isn't available such as the major concerts and special events.

So, I've made that inquiry and I would hope that if there is no reason why we couldn't do it, that indeed they would look into taking such action. And I'll report back as I hear and let you know what is said.

On another matter. I'm sure that all of us read a rather disturbing article this weekend, "Higher Property Taxes Tarnish Affordable Housing In Pittsburgh". I found the stats very, very interesting that other cities who have far more expensive houses have far less taxes on them for the most part.

That brought us back to where we were a

number of years ago, last year in particular, and again in the morning paper, this weekend's paper, about Mr. Jubelirer saying that he has this new tax reform for the City of Pittsburgh. It does everything except let us relieve our tax problems by taxing the non-City residents. All it does is let it raise our commuter tax or head tax from \$10 to \$20 and it really doesn't alleviate any of our problems.

Again, that made me think of the commitment this Council made when we went through the budget last year on the tax swap. We wanted to refund monies to the senior citizens but there was no vehicle to do that because state law prohibited us from doing it and we were looking into the gentrification bill to see if that was a mechanism for returning money.

So, here we are better than a half year later, nothing is happening that I know of that's meaningful in Harrisburg on tax reform. The senior citizens bear the brunt of it and City property is being, I guess, higher taxed or over taxed in other communities.

I think it's time that we again got together with the Administration to find out what can be done. And I've made a pledge that perhaps the next thing we had to do, and the Administration said they would do it with me, is to go to Harrisburg, sit on the steps, busloads, carloads, and just sit there until we get some tax relief.

We really are in trouble. And everyone is aware that we read in the media, I have not heard it first hand, that we're looking at a shortfall of \$50 million in the City and many more millions in the State.

There has to be some equity and some fairness and I don't think that Pittsburghers are getting that fairness and that equity.

May I suggest then, and make it in the

form of a motion, that we set up a meeting between the Administration and this Council to update us on what is happening on tax reform and what we need to do now and to address the issue of refunds to senior citizens.

Mr. Ferio seconded the motion.

Mr. Coyne:

Mr. Chairman, it just seems to me that if we're going to discuss this with the Administration, Mr. Kohling should be invited to participate. Since he is the City's representative in Harrisburg, he may know better the status of the current tax reform bill.

Michelle Madoff:

And it may not be such a bad idea to get the Commissioners to come. Two of the three, I don't know where Mr. Dunn lives, but two of the three live in the City of Pittsburgh. And I think they ought to think about it and certainly they know the problems we have. Do we need a sales tax? What can we do to alleviate the problem immediately because the population loss is really hurting us enormously. It's affecting our general funds, both City and State, and we just can't wait until it's a tragedy.

The Chair:

On the motion? All those in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

We will have a meeting. Mr. Perry will schedule with Mr. Kohling, the Mayor's Office, Mr. Turner, Mr. Mistick and request the presence of the County Commissioners.

Mr. Cohen:

On another issue. I'm very concerned about the chunks of concrete falling from the Greenfield Bridge. I know all of my colleagues are, particularly Councilman Coyne who represents that district.

At least 20 incidents have occurred so far and one person has been hospitalized. There have been cases recently outside of Pittsburgh, particularly New York, where somebody actually died from debris falling from a bridge.

Now, we know that debris fell from the actual structure of the bridge on Thursday, but it's still a mystery as to how chunks of concrete fell from the bridge on Sunday. An investigation is being conducted by the Department of Engineering and Construction, but it needs to be a full investigation and one that includes an inspection of the bridge.

We're under federal mandate to inspect our bridges every two years. The last time this bridge was inspected was in 1988. Apparently an inspection had begun, but then the truck broke down.

So, what I would like to do as Chairman of the Engineering and Construction Committee is ask you, Mr. President, to schedule a meeting as soon as possible, hopefully this week, with Director Sciulli of the Engineering and Construction Department, and also see if we can get a representative from PennDOT and ask a representative from the State Police to be there as well. They're investigating this also. We need to find the answer as to why this is occurring and get a status report on how it can be resolved.

The Chair:

Mr. Ricciardi cancelled his post agenda, I believe, for tomorrow at 1:00. How about to-

morrow at 1:00?

Mr. Cohen:

I think that would be fine.

Michelle Madoff:

Mr. President, on the same subject. May I remind those Members of Council who may have read about it or recall that a number of years ago we had another episode like that. This is not our first since I've been here. It was the Larimer Avenue Bridge.

There were no nets put under it when it was rehabbed. We were told in this Council that the reason the boulders and the rocks were coming off the bridge was that kids were throwing them off. So, the City went to the expense of putting in a mesh netting, metal netting, a screen that came way up over the bridge.

And guess what? The boulders still kept falling off and they went through two businesses. There was a small machine shop under the bridge and there was a woman who had some kind of a massage parlor or something there. It's a true story. We went out to look at the problems and in this woman's facility she had a chair that she lounged in and right over her head was a hole about four feet in diameter and a boulder had gone right through that building. The machine shop had a lot of equipment destroyed. And again we were told that it was kids throwing the rocks over.

I brought in a number of the boulders in to this office in a cart. I did not alert the news media at the time. We're supposed to be media hogs and they were annoyed to find I had a visual for them and I didn't even let them know.

What happened was that in closer inspection, water, you know the thing I talk about

in going out on contracts doing the scope of work, water had seeped into the boulders and they had broken off from the bridge. The freezing and the expansion of the bridge, the pieces falling down had been caused from water leakage.

We learn from history and I think it was important to bring that up again because indeed it may again be water seeping in, expansion and cracking and pieces falling off. But if it is not, if indeed it is the children or vandals throwing rocks over, why don't we offer a reward for information leading to what is really very serious.

Let me tell you what you also may not remember unless you read the story, that everybody poo-pooed me on the Larimor Avenue Bridge and on Election Day, which is very interesting, a boulder fell off putting all the electricity in the area out of operation so they couldn't vote. And one of the boulders went through somebody's car and the person was blinded, permanently blinded.

So I think that this is not something that we want to brush aside. I agree with my colleague. It isn't that it's a bridge in his district or Mr. Coyne's. This is something that has to be a process that has to be addressed to the care of all bridges. And obviously we've heard of other cities where kids throw brick and rocks over highways.

We have to get a strong message out here that there will be prosecution. This is not a little lark. It is not a joke. And we need people to report to a number and I guess at the moment I don't know any other number, I guess it should be 911 if you have any information. You don't have to give your name. Just let us know if you know of anybody that may have been throwing these rocks over. And certainly I want a better report on the condition of that bridge.

Mr. Milliones:

I would encourage us not to do anything, Mr. President, until we get a full report from the professionals.

The Chair:

We will have a meeting tomorrow on the issue at 1:00 p.m.

Michelle Madoff:

May I just answer my colleague? We had a full report on the Larimor Avenue Bridge.

Mr. Milliones:

I'm talking about this bridge.

Michelle Madoff:

Yes, but I was just making the point, and it turned out that the report is not exactly what happened by a far cry.

The Chair:

I think Mr. Cohen's initiative to have a fact-finding meeting is a good one and from that point we can do something.

Michelle Madoff:

Well, you know, we were told what the facts were in the paper and if that's what we're going to hear tomorrow, that it's kids throwing it over the bridge, and I'm saying it turned out on the Larimor Avenue Bridge that it wasn't what happened.

Mr. Ferlo moved to approve the Minutes of Tuesday, May 22, 1990 and Tuesday, May 29, 1990.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Millones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, June 12, 1990

No. 24

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, June 12, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo:

I'd like the officers and some of the staff of the Credit Union to come forward, please.

Mr. Ferlo presents

No. 879 WHEREAS, Credit Unions are non-profit, financial cooperatives which exclusively serve their community-based memberships; and

WHEREAS, Credit Unions are member-owned and member-controlled by member-volunteers who are democratically elected to the key credit union positions; and

WHEREAS, Credit Unions are an important source of affordable loans, equitable rates of interest on savings, and other financial services for their members; and

WHEREAS, the National Credit Union Administration and the National Credit Union Share Insurance Fund regulates, charters and insures the nation's federal credit unions and qualified state chartered credit unions; and

WHEREAS, the Credit Union movement has been the target of a campaign of misinformation led by profit-motivated banking institutions and their trade associations; and

WHEREAS, the banking industry has

attempted to create unfavorable opinions about Credit Unions by misinforming the public with regard to their tax exempt status and source of insurance.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the important financial services provided by Credit Unions generally, and in particular, the Pittsburgh City Hall Employees Federal Credit Union #1239; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes that Credit Unions, by virtue of their membership base and non-profit status, are unique and distinct from all other financial institutions, and denounce the campaign to create a negative image of Credit Unions.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Members of Council, we have several staff members from the Credit Union and several of the officers here. I know Chuck Tanczuk, Mary Lou Ray, Tom Reddy I believe is Treasurer of the Credit Union, and Barbara Curry from the Credit Union. I'd like a couple of them to speak about the issue.

Mr. Reddy:

I'd like to thank Mr. Ferlo, Jack Wagner and the Council for their wisdom in helping the Credit Union movement in the City of Pittsburgh. It has helped many, many employees in the low interest rates and sometimes employees cannot get loans at banks and so forth and they get them here. We would like to thank the Coun-

cil for this recognition and it will go to our National and to the Pennsylvania Credit Union League. Thank you.

Ms. Curry:

I would also like to thank Jim Ferlo and his staff for all the time and effort they extended to us, and a special thanks to Irene McLaughlin for the courtesy she extended to me.

I'm sure this will make a big impact on the Pennsylvania Credit Union League. It will not only help Pittsburgh City Hall but all the Credit Unions in the nation.

One last request. I would like all Councilmen to write a letter to our Congressmen which will help greatly to support the Credit Unions.

I thank everyone again.

The Chair:

Thank you all very much.

Mr. Ricciardi:

I'd like to ask Justin Krauss, David McGee, Amy Yakich and Shelby Milbee to please step forward.

Mr. Ricciardi presents

No. 880 WHEREAS, the Allegheny County Marble Tournament has been ongoing since 1922; and

WHEREAS, the Allegheny County marble Tournament champions selected out of some 1200 participants are as follows:

Boys' Category:

First Place: Justin Krauss of South Side
Second Place: David McGee of South Side

Girls' Category:

First Place: Amy Yakich of Banksville
Second Place: Shelby Milbee of South Side

WHEREAS, these champions of the Marble Tournament will represent the City of Pittsburgh in a national tournament to be held in Wildwood, New Jersey on June 17 through 23, 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Justin, David, Amy and Shelby on their victory and wishes them much success in the upcoming national marble tournament.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you Mr. President and Members of Council. Hopefully our awardees this morning would like to say a few words.

Justin Krauss:

I'd like to thank Gene Ricciardi, my Councilman, and the rest of City Council for honoring me with this resolution.

I'd also like to thank all the kids who shoot with me and practice with me up at the marble ring where I practice.

I'd also like to thank Walt Lease and Carolyn Simone for helping me shoot.

Mr. Ricciardi:

We also have a surprise resolution today and if Walter Lease could please step forward.

Mr. Ricciardi presents

No. 881 WHEREAS, Walter Lease is presently the organizer of the Allegheny County Marble Tournament which has been in existence since 1922; and

WHEREAS, Walter Lease has been involved with the tournament since 1955; and

WHEREAS, Walter Lease generously donates both his time and his personal funds which enables this event to be such a continued success.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes Walter Lease for his continued efforts that make the Allegheny County Marble Tournament successful.

Mr. Ricciardi moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I would just like to extend a special congratulations to Walter who not only gives his time but also gives his personal resources in terms of money. Many times in the past, and also this year, he will be personally sponsoring several children to go up to Wildwood.

Mr. Lease:

I just wanted you to know why I do it but

before I say that I want to say to Mr. Ferlo we're taking Nicky Piatak which was the 1989 Reigning Champ, nine years old, the youngest kid ever shot. It looks a little bit like him, he's going to help train him, and this might be your next winner if it were not for Justin.

We haven't forgotten Lawrenceville so don't think that we passed them up. These kids have just practiced a little bit more.

I thank all of you and I hope we can support the program and I hope we can get Jack Mahoney to start picking it up because they'll tell you, I can get down to shoot with them, but they have to help me up. Thank you.

Mr. Cohen presented

No. 858 Resolution providing for the issuance of a warrant in favor of Surv-Kap in the amount of \$4,999.95 for the purchase of survey monuments to be used to replace lost or destroyed monuments and to set new monuments in all construction sites, payable from Code Account 4-13-30-0200-87, Index Code #307629. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 859 Resolution further amending Res. No. 1061, eff. January 1, 1990, as amended, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by creating a new line item (New Public Safety Building - Design). This amendment will provide funding for an Agreement with a Consultant for preschematic and site planning architectural

services in connection with the new Public Safety Building and the possible site.

Also,

No. 860 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for preschematic and site planning architectural services in connection with the new Public Safety Building and the possible site, at a cost range of \$100,000.00 or more, but less than \$250,000.00, chargeable to and payable from Code Account 3-13-95-2055-90, Index Code #816033.

Also,

No. 861 Resolution amending Res. No. 441, eff. April 30, 1990, entitled, "Providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Replacement of the Shadeland Avenue Bridge; and providing for the payment of the cost thereof," by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation. Cost not to exceed \$350,000.00, chargeable to and payable from Code Account 3-13-05-0465-88, Index Code #706317, "1989 Project Fund". Any reimbursement received from the Commonwealth of Pennsylvania or the Federal Government shall be deposited in the Dept. of Engineering and Construction's Unrestricted Cash, Code Account 3-13-05-0465-88, Index Code #706317, "1989 Project Fund".

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 862 Resolution adopting Official Sewage Facilities Plan for Crawford-Roberts Projects.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 863 Resolution vacating a portion of South 21st Street, from vacated Ironston Street northwardly 181.65 ft. to a point, thence eastwardly 30.26 to a point, thence southwardly 177.65 ft. to a point, thence 30 ft. to place of beginning, also reserve a 6 inch waterline and an 18 inch sewer line located therein in the 17th Ward of the City of Pittsburgh, 3rd District. The petitioners, J.J. Gumberg Company, Attorney David Toal, 29th floor, 1 Mellon Center, Pittsburgh, PA 15219 have requested this vacation for expansion purposes. The Finance Department recommended a fee of \$2,700.00 be charged for the vacation.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 864 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) in the South Oakland community pursuant to Pittsburgh Code Chapter 549, so as to expand the streets included in the existing South Oakland RPPP Area "M". The fee for resident parking shall be \$10.00 for one year, which will include the cost of (1) visitor's pass per household or at a cost of \$1.00

for households not purchasing a residential parking permit.

Also,

No. 865 Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) Area "R" in the Bloomfield community pursuant to Pittsburgh Code Chapter 549. The fee for resident parking shall be \$10.00 for one year, which will include the cost of (1) visitor's pass per household or at a cost of \$1.00 for households not purchasing a residential parking permit.

Also,

No. 866 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: A. From "SA" Special District, Class A and "R4" Multiple-Family Residence District to "C1" Neighborhood Retail District all that certain property bounded by: GRANDVIEW AVENUE; Lot No. 39, Block 6-H in the Allegheny County Block and Lot System; the "S" Special District boundary line located north of GRANDVIEW AVENUE; and Lot No. 25, Block 6-M in the aforesaid System; B. From "SA" Special, Class A to "S" Special District all that certain property being Lots No'd. 45 and 46, Block 6-H in the Allegheny County Lot and Block System bounded by: GRANDVIEW AVENUE; the "S" Special District north of GRANDVIEW AVENUE near PLYMOUTH STREET; the "AP" Residential/Commercial Planned Unit Development District north of GRANDVIEW AVENUE near ONEIDA STREET, 19th Ward.

Also,

No. 867 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District

Map No. 11, by changing: From "C3" Commercial District to "R2-1" Townhouse Residence District all that certain property bounded by: PENN AVENUE; the R2-T zoning district boundary line located between LIGONIER STREET and THIRTY-FOURTH STREET; SPRING WAY, Lot No. 284, Block 48-S in the Allegheny County Lot and Block System, 6th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 868 Resolution providing for an Agreement or Agreements with Neighborhood Legal Services for the purpose of providing legal advice and services to low and moderate income city residents at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1075, Misc. Services.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 869 Resolution transferring the aggregate sum of \$5,000.00 from Code Account 1106-9 (110692), Workers Compensation, Department of Planning (\$2,500.00) and Code Account 1082-9 (108290), Workers Compensation, Department of Law (\$2,500.00)

to Code Account 47-1 (004713), Union Bonuses, Department of Finance. This transfer is requested to insure the City is in compliance with the provisions of the Paramedic, Recreation Teachers and Service Employee contracts. (PRIOR APPROVAL GRANTED)

Also,

No. 870 Resolution transferring the aggregate sum of \$25,000.00 from various Code Accounts to Code Account 43-1 (004317) Refunds-Fines, Etc., Department of Finance. Due to a large number of court ordered refunds and increasing dollar amount of individual refunds, the budget appropriation for 1990 has been exhausted. This transfer should enable the Department to process refunds for the remainder of 1990.

Also,

No. 871 Resolution authorizing the Mayor to enter into an Agreement or Agreements with the Pennsylvania Department of Environmental Resources for grants to be paid to the City in connection with the City's recycling program, with the proceeds of said grants to be deposited into the Solid Waste Trust Fund (SWTF).

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 872 Resolution providing for a warrant in favor of Public Strategies, Inc., 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of June, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123,

District #3, City Council. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 873 Communication from Tom Flaherty, City Controller, submitting a performance audit on traffic court for May, 1990.

Which was read, received and filed.

The Chair:

It has just been brought to my attention the announcement of the recent death of the President of Crafton Borough Council, Mr. James Fuhs, 51. He not only was the President of that Council, he was also the Chairman of the Democratic Committee in that borough and also an employee of Allegheny County. We ask that we have a moment of silence. Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 874

Report of the Committee on Finance for June 6, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 808

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of G.A.I. Con-

sultants, Inc. in the amount of \$7,036.32 and Middle States Steel Construction Company in the amount of \$25,265.00 (an aggregate amount of \$32,301.32) for the design and construction of repairs to the Fort Pitt Boulevard Bridge - Eastbound; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 819

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Varieties Unlimited, Inc., 100 Rosslyn Road, Carnegie, PA 15106, in the amount of \$1,999.75 in payment for services furnished for the benefit of the City in connection with the purchase of water bill stuffers; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferio
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 820

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the study of alternate strategies to lower the Amusement tax and offset lost revenue, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance."

Which was read.

Also,

Bill No. 821

A Resolution entitled, "Resolution providing for the filing of petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 822

A Resolution entitled, "Resolution Repealing Resolution No. 517, Item H, approved May 23, 1990, which repealed Resolution No. 552, Item G, approved July 10, 1989, which authorized the sale of property in the 14th Ward, being a 63' x 100' x 65.67'rr. vacant lot, located at 6837 McPherson Blvd., designated as Block 125 R,

Lot 200 to Richard M. Starks, for the sum of \$2,500.00."

Which was read.

Also,

Bill No. 847

A Resolution entitled, "Resolution transferring the sum of \$25,000.00 from Code Account 1005-2 (100529) Printing Municipal Record to Code Account 1006-9 (100693) Workers Compensation, City Council & City Clerk's Office."
---(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Milliones:

In accordance with Section 322 of the Home Rule Charter, "Publication Effective Date of Legislation", I move that the effective date of Bill 847 shall be the date on which it is signed by the Mayor.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins

Mr. Milliones
Mr. Regan
Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 875

Report of the Committee on Planning, Housing and Development for June 6, 1990, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 813

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1990-1991 Community Development Block Grant Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 814

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to receive funds from the authority to fund community development corporations."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 815

A Resolution entitled, "Resolution providing for the filing of an application for financial assistance by the Urban Redevelopment Authority of Pittsburgh with the Pennsylvania Department of Community Affairs for the Washington's Landing Redevelopment Project."

Which was read.

Also,

Bill No. 816

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Au-

thority of Pittsburgh and Sports Technology Group for the sale of Parcel E-7 in the 24th Ward of the City of Pittsburgh in Redevelopment Area No. 45 (LIGHT INDUSTRIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 817

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Washington's Landing Marina, Inc. for the sale of Parcels 9, 10, 11, 12, 13, and 14 and the 24th Ward of the City of Pittsburgh in Redevelopment Areas No. 45 and No. 48 (MARINA, COMMERCIAL & RESIDENTIAL DEVELOPMENT)."

Which was read.

Also,

Bill No. 818

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to provide for the designation of the Local Matching Share in connection with an application for Strategy 21 Project funds filed with the Commonwealth of Pennsylvania Department of Community Affairs for public improvements in connection with the Washington's Landing Redevelopment Project." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd just like to go on record in opposition to the four bills, 815

through 818, in relation to the propositions involving the development on Washington's Landing. I'm voting no on those four bills.

Just stating for the public record, my opposition based on what I think is an inadequate square footage cost for the sale of this land and the parcels that are mentioned in the two bills, I do not think the cost is commensurate with the amount of money we have sunk into this island. I think it should be more representative and a return to the City on a fair market of that property.

Secondly, these four bills combined would commit \$1,200,000 of Community Development Block Grant Funds and potentially City Bond Funds to support this development. And I think at a time when Congress is potentially curtailing the amount of available funds of CDBG monies, I for one, would rather see those monies targeted in low and moderate income communities and I do not think they warrant the use of these dollars on the opportunities that exist to develop the island.

So, I just want to state for the record my opposition at this time.

Mr. Cohen:

I would like my comments brought forward on Bills 815 through 818.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILLS NO. 815 and 818-Wednesday 6/6/90)

Mr. Cohen:

Director, I think this amendment may answer the question that I had about this. It seems that the amendment does two things; one, is change the amount from \$1.5 million to \$1,200,000.00, and then change the source of those funds. My question was going to be what those Port Authority transit funds were supposed to be used for, that we are taking this money for Washington's Landing for. It sounds like this amendment will clear that up, if you could explain what it really does.

Mr. Whitmer:

Let me explain the funding first. The Port Authority funds, if you remember, PAT used to have port money, they received the port of Pittsburgh. For some reason they got out of the business. They transferred approximately \$1.5 million or \$1.8 million, I believe, to the URA to use as we saw fit for property, for riverfront development, that type of thing. Half of that money, or \$800,000.00, went for the river rescue facility that is currently being built by the city. The remaining million will be part of the loan to the marina developer.

Now, the reason for this amendment was, essentially, the Port Authority money came from the state, and we cannot use state funds to match additional state funds, which is Strategy 21, so at the last minute we had to make this change.

Mr. Cohen:

Are you really taking it from one pocket and putting it into another, ultimately using these funds but not for this project?

Mr. Whitmer:

No. For Strategy 21 money we have to match it from non-state funds; that could be private, local, whatever. We have to show in the resolution of the Department of Community Affairs that we are matching it with some other money that has been used on the island, whether it be bond funds, CD funds, just as long as they are not state funds.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. COHEN'S COMMENTS ON BILL NO. 817 - Wednesday, 6/6/90)

Mr. Cohen:

Discussion. Director, I am glad to see we are moving along on Washington's Landing. I am sure the other Councilmembers probably have questions.

I would like to limit my questions to the residential portion of Washington's Landing. Personally I feel, and I think you probably agree, that one of the keys to making Washington's Landing work is to have people living there and a residential component to it.

My question is what type of residential development is proposed and do we actually have a developer?

Mr. Whitmer:

Let me answer that and how we went about the RFP. I should mention we have both Mr. Gregory, who is the marina developer, here today and Mr. Harrington, who is with GAMMA Sports who is developing the tennis manufacturing complex.

Our goal, obviously, was housing and the marina. When we went out for the first RFP, we had some interest from three potential developers, and Mr. Gregory and his entity was interested in the development of the marina only. We went through the process and talked to the three people who were interested in housing, and our analysis at the time felt that they wanted too much subsidy. We came to the conclusion that you really need the marina first, such as a golf course, ski slope or wherever, where there is condominium development related to it. So we went back and discussed further with Mr. Gregory and reviewed his plans and ideas on a marina, and part of the agreement we had reached with him is that he will have an option to do the housing once he has completed the marina for a period of time.

Mr. Cohen:

How long is the option for?

Mr. Whitmer:

I believe three years after completion of Phase I.

Mr. Cohen:

Is it your understanding that he will most likely exercise that option? I don't want to keep this open for three years waiting.

Mr. Whitmer:

I think we have a responsibility to him, since he is

investing the money in the marina, to allow him to proceed with the option on housing and give him a fair amount of time to do that. Well, he has an option on the first three years, I should make it clear, and then a right of first refusal for three years. I believe that is the way it is set up.

Mr. Cohen:

Okay.

Mr. Whitmer:

Because it is going to take him a year just to get Phase I and then move into Phase II of the marina. He will need another year or two to get it fully built out.

Mr. Cohen:

Is it too early to discuss what type of residential development it would be?

Mr. Whitmer:

I think that is a little bit premature. We discussed that with the housing developers and they weren't sure, either. They had some ideas and we had from other parts of the country, and that is one of the reasons I think we rejected the idea of selecting somebody at this time that was thinking about doing housing, because they had no real concrete plans. We felt it necessary to get something moving on the Island, and the marina was the way to bring about that motion.

Mr. Cohen:

The prices per square feet listed here, these are negotiating prices, I assume?

Mr. Whitmer:

Yes. They are negotiating based on appraisals that we have.

Mr. Cohen:

Are they relatively close?

Mr. Whitmer:

They are. As you move into the different phases, we have come up with some financing schemes that allows the developer to pay, but the first parcel is paid at the appraised value.

Mr. Cohen:

Whose appraiser was it?

Mr. Whitmer:

The appraiser we have, URA.

Mr. Cohen:

Last question: About the environmental situation, are we over that hump?

Mr. Whitmer:

We are not totally over it. We are in the process of cleaning the Island, removing the PCV's to the capsulation area and removing the rendering site. I don't foresee any major problems, but I think the Island itself is clean. We have to look at the parcel beside it and may have to do some work there. We are in the midst of negotiating the final letter, consent order, with DER, and for all practical purposes I think we completed the clean up.

Mr. Cohen:

I know that the veteran Councilmembers at the table here have been frustrated by the slowness of this project, but I am glad that it is moving forward now and it looks like it is moving forward in a positive way. I commend you for that.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

Also,

Bill No. 823

A Resolution entitled, "Resolution requesting the Historic Review Commission and the Planning Commission to review and consider designating as a Historic Structure the Soldiers and Sailors Memorial Hall along with all abutting property located at 5th Avenue and Bigelow Boulevard, Pittsburgh, PA 15213." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

I would like my remarks on Bill 823 pertaining to the Soldiers and Sailors Memorial Hall and I would ask that the Planning Commission and the Historic Review Commission let Council know when their hearing is set.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 823 - Wednesday 6/6/90)

Mr. Wagner:

Thank you, Mr. Chairman. This issue has been in the news quite a bit lately. I don't mean the historical designation of the building, but the building itself; the Soldiers and Sailors Memorial Hall located in Oakland, which is Councilman Cohen's district. There are some fine lines out there, and I have discussed this piece of legislation with Councilman Cohen going back a month or six weeks ago, and recently introduced it basically because many veterans' organizations have requested that the building remain an historical monument to veterans in the City of Pittsburgh, Allegheny County and Western Pennsylvania indefinitely and to the future.

Passage of this legislation and approval by the Historic Review Commission and the Planning Commission confirming our vote, affirmative vote hopefully, would assure us that the likelihood is that this building would remain an historical monument to veterans indefinitely into the future.

Veterans' groups today are concerned that this building may be changed in some format in the future basically because of the garage that is being built under the front lawn and the pillars that are part of that garage. It has been said that those pillars can hold more than what they are intended to hold, meaning the lawn or four feet of ground that will cover the garage eventually when the project is completed. I don't know if that is true or not, quite frankly, but I have been told by Mr. Cramer, assistant to Mr. Forester, that there is no intent on the county's part to move forward and do anything on that property other than the garage that is being built and the purpose which the building was originally intended.

Furthermore, Mr. Cramer informed me and some others that the building is actually not owned by the county, it is actually owned by the state, the commonwealth, and it is leased to the county for a nominal fee I believe of \$1.00 per year. Therefore, any changes to the building or the land would need state approval, in addition to county approval. Subsequently, it is not likely that that will happen in the future.

However, I still think the building in and of itself should receive historical designation. I believe the designer of that building is the same designer of the building we are in today, the City Council Building, and several other noteworthy buildings in the City of Pittsburgh. There is not a veteran's group that does not support this initiative. Everyone I have talked to has said they support the historical designation of this building, they would like to see it happen. It may, in fact, help some of the controversy that exists today. In other words, it may put to rest the issue that or the question that something else may be done to the structure.

So consequently, I would appreciate the support of Council and I would hope that the Historical Review Commission would look favorably upon the historical designation of a building,

probably the only building that stands 100 percent to the service of veterans that have served their country in the City of Pittsburgh, Allegheny County, Western Pennsylvania.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 876

Report of the Committee on Parks and Recreation for June 6, 1990 transmitting sundry resolutions to Council.

Bill No. 844

A Resolution entitled, "Resolution providing for a license to Paul Haverson and Rena Haverson for the installation, use, operation, maintenance, repair, renewal and for the removal of an underground electrical, telephone and cable television system on certain property of the City situate in the 14th Ward in connection with utility service to a private residence on Undercliff Road."

Which was read.

Also,

Bill No. 845

A Resolution entitled, "Resolution providing for the license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of an overhead and underground electrical system on certain property of the City situate in the 14th Ward in connection with electrical service to a private residence on Undercliff Road."

Which was read.

Also,

Bill No. 846

A Resolution entitled, "Resolution providing for a license to Bell Telephone Company of Pennsylvania for the installation, use, operation, maintenance, repair, renewal and for the removal of an overhead and underground system on certain property of the City situate in the 14th Ward in connection with Telephone Service to a private residence on Undercliff Road."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

**And a majority of the votes of Council
being in the affirmative, the bills passed finally.**

Mr. Regan presented

Bill No. 877

**Report of the Committee on Public Safety for
June 6, 1990 transmitting one resolution to
Council.**

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 843

**A Resolution entitled, "Resolution authorizing
the City to assist the City of Denver in
implementing a computer aided dispatch
training program."**

Which was read.

Mr. Ferlo:

**I would like my comments brought for-
ward on Bill No. 843.**

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 843 - Wednesday 6/6/90)

Mr. Ferlo:

Director Cannon, is the relationship of this activity to a specific company? And if you could, just clarify what this trip is about, and are we in any way aiding and abetting one vendor winning a contract versus another?

Mr. Cannon:

No, not winning a contract; it is already in place. The vendor for the City of Pittsburgh Computer Aided Dispatch System is AT&T, and I think most of you have been out there and seen our system. That system is also in place in Denver and Minneapolis. We are the most advanced in the utilization of that system right now in terms of operational, in-place working systems. They have already awarded and have their hardware in place, as well, and are in the process of trying to come up and be on line. They have asked us to assist them, because of the individual we are sending, Brian Bark, who has been with our system since it began, and though we are operationally ahead of where they are, they have purchased a piece of hardware which is a switch that links together a number of systems that we are looking at. So there is also a benefit for us to be able to have this individual there. All the expenses will be reimbursed by AT&T, which was built into Denver's contract for some form of training, it just happens to be that Pittsburgh is going to provide the training, because we are the most knowledgeable in this kind of computer aided dispatch.

Mr. Ferlo:

No equipment is to be purchased, and any equipment has already been purchased?

Mr. Cannon:

That is correct.

Mr. Ferlo:

This has nothing to do with any equipment, RFP's that have gone out?

Mr. Cannon:

Not at all; that is all done.

Mr. Ferlo:

Not AT&T selling something?

Mr. Cannon:

It is already sold.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 878

Report of the Committee on Engineering and Construction for June 6, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 809

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Structural Repairs to Schenley Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 810

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for Structural Repairs and Maintenance at Phipps Conservatory; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 811

A Resolution entitled, "Resolution providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the reimbursement of the Federal/State Government's share of costs to the City of Pittsburgh incurred during the design of the Edgebrook Avenue Bridge."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 882 Resolution appointing Randal G. Forrester, 5738 Pierce Street, Pittsburgh, Pennsylvania 15232-1718, to the Human Relations Commission for a term effective immediately and to expire July, 1994.

Which was read.

Also,

No. 883 Resolution appointing The Reverend Roger A. Ferlo, 5700 Forbes Avenue, Pittsburgh, Pennsylvania 15217, to the Human Relations Commission for a term effective immediately and to expire July, 1994.

Which was read.

Michelle Madoff:

Do they have to come before Council, Mr. President?

The Chair:

Yes, they do. I would ask the City Clerk to try to get those people in front of Council tomorrow or as soon as possible. Thank you.

Michelle Madoff:

I think it's important that we don't drop the ball and we follow through on the very substantive post agenda that was held the other day that I requested and that Councilman Wagner chaired, with reference to the development of the Airport and how the City should not be left behind.

I requested from Stanley Marshall who is marketing the Airport to put a summary together for me so that people can relate to what is happening. I'd like to read what I received in my office this morning. It's very brief.

He states: "The County Commissioners have recognized the new Greater Pittsburgh International Airport for what it is, the great economic opportunity of the '90s. They have moved strongly to establish the active commission to take advantage of that opportunity.

Now the City of Pittsburgh must act. It, too, must seize the opportunity so that its citizens will thrive. If it doesn't, the economic access of Allegheny County will move to the Airport region.

If we don't develop our own strong organization and programs to woo the many businesses and industries who will be attracted to the region, we will run the risk of being an also-ran as we enter the next century.

What will it be? Opportunity or disaster?"

The problem that we learned the other day is that, for example, Jacques Kahn of the Golden Triangle stated that even his members didn't understand exactly what was happening and the impact the Airport is going to have. He stated that if they don't understand, how could we get the message out to the public?

My feelings were that we must do some grassroot educating. We had sort of discussed at that meeting, and it seemed to be the consensus of those present, that legislation would be introduced setting aside some dollars so that the Administration would have an indication of our support to immediately start assigning someone fulltime to this very serious problem of getting jobs for the citizens of our community so Pittsburgh doesn't become a vacuum and the new City of Pittsburgh, in essence, ends up at the Airport.

People better wake up and understand that it affects not only jobs, our property values, our real estate values, what it means to live here and our lifetime investments in the City could be negated to a great portion if we ignore this opportunity and it becomes a disaster. As he stated at the meeting, if it becomes a disaster, we won't have to worry about transportation to the Airport.

I believe, Mr. Wagner, that you agreed to introduce legislation allocating dollars. I think it would be appropriate that we meet with the Administration to see what help they need from us. I don't think it should be that we're attacking the Administration because they're not doing anything because I've learned that they are. They're doing many things, we just don't know what they are. And it would be very beneficial if someone spoke to them and said, "What is it that this Council can do to help the Administration move quickly to get our fair share of the job opportunities, make sure that transportation to the Airport happens concurrently with the development of the Airport.

We learned from SPRPC that there's \$18 billion sitting untapped which will go back to the general fund of the United States because that Commission dissolves the dollars, for some reason, dissolves it in the very near future.

We need to have our citizens writing letters by the thousands to our Federal Legislators demanding that the shortfall of \$6 billion -- We need \$9 billion for this region to have the adequate network of highways and roads, etc., and we have a shortfall of \$6 billion. We need to make sure that we're not left behind and, indeed, that Pittsburgh is not faced with disaster but, indeed, takes advantage of this opportunity.

I guess I'm reading the note just to share the information from Stanley Marshall with everybody and to make sure that we don't drop the ball and that we get a report back.

Mr. Wagner, would it be appropriate to hear from you next week as to what the next step will be? Will you be talking to the Administration?

The Chair:

Yes. And others. And if I could just add on that same issue, for the Councilmembers that couldn't make the entire meeting the other day, it really was a very fruitful meeting, but I think one of the points that out that Councilwoman Madoff is bringing up is that the employment center for the new Airport which is an Allegheny County Airport, should be where the County seat is which is in the City of Pittsburgh so that all residents of Allegheny County have the opportunity to apply for whatever jobs become available.

Presently, the State has opened an employment office in Robinson Township. We think that employment office should be in the City of Pittsburgh and we are going to try to move aggressively to get another office or that office here in the City. I think it's an excellent point.

In addition to that, the Advisory Com-

mission asked that any Councilmember that wants to serve on any of the committees is more than welcome to.

So, we are trying to get some information now on the various committees and any Councilmember that would like to serve on them, I think Council should take a very active role in that Commission.

Mr. Cohen:

Mr. President, I'm in full agreement with you and Councilwoman Madoff. I thought it was a very productive meeting and I think we were all there to try to assure that even though this is perhaps one of the greatest potential economic boons for the area, that the City of Pittsburgh isn't left in the dust.

I called Stanley Marshall yesterday to participate in the Marketing Committee of that Airport Commission. I think some of the other issues seem to be covered a little bit better by the City but that might be one that we could really use a little more input in, so I would like to do that, and really, the whole question of marketing the Airport and the economic development surrounding the Airport and linking that to the City of Pittsburgh. So, I hope to be involved in that.

The Chair:

If I may just add, and I don't want to take the floor too much on it, I think what the City is doing here is also looking out for all communities east of the City of Pittsburgh and Allegheny County because, truly, the Braddock and the McKeesports and the Clairtons and the Edgewoods and the Wilkinsburgs and all points east, are in a worse situation than the City of Pittsburgh here because we are, from a geographical point of view, closer to the Airport. Consequently, the employment center and all the other linkages are not only critical for our City but all

those communities east of the City.

Michelle Madoff:

On another issue. This won't be very popular with my colleagues, I don't think. In 1988 and 1989 I refused appointments to the Leasing Authority and to the Water and Sewer Authority because I believe very strongly that Councilmembers should not serve on authorities for reasons I gave at the time which are as valid today as they were at that time.

I believe that we need to know where we go from here. Is there going to be a public hearing? What is the Administration planning to do about an Ethics Commission? I know that everybody is waiting to see. Alright, so now we've done this report; what happens now?

I would like to make it as a motion that the City Clerk would write a letter to the Administration and ask the Administration what is the next step? How do we plan to get on with getting a workable Ethics Commission? How do we plan to adjust what Mr. Cohen has introduced, the issues in the Ethics Commission that Mr. Pollock introduced? The State Ethics Code, how does that intermesh?

I think we just can't let it sit and pretend it isn't happening and sweep it under the rug because I think the public thinks that's what we're going to do and I think it paints us all as being concerned with our own issues, our own well-being, and not with the well-being of the community.

I just want to know, where do we go from here? What's the next step? What is going to happen? I presume that the Mayor is going to have some meetings to try to reconcile the diverse ethics positions that have been put forward. But I don't think that's satisfactory to be put on hold again. I think concurrently the Ad-

ministration should be setting up some input from the public and telling us what the next step would be and certainly giving us some timeframes as to what will be happening within certain timeframes.

I think a respectful letter asking for that is in order and I make that in the form of a motion, to ask where we're going.

Mr. Ricciardi:

I'll second it for discussion.

If I may, obviously, I'm not in opposition of Michelle Madoff's request for a letter.

If I may, in response to the questioning of Michelle, and unfortunately yesterday Dan Cohen and myself were meeting with several colleagues and we were unable to meet with Michelle. Nothing will ever be swept under the rug. What is happening now, as the rest of my colleagues know and the media and the public know, that this past Friday the Mayor's Commission on Ethics released their recommendations. Last week Dan Cohen and myself, hopefully representing City Council, met with the Mayor's Administration and a committee has been set up. The committee consists of Bob Cindrich who is chairing the committee, Dan Cohen and myself from City Council, Joe Mistick from the Mayor's Office, and Mary Conturo, our City Solicitor.

The charge has been given to our City Solicitor to take the recommendations from Bob Cindrich's committee, and also to look at Dan Cohen's ethics bill and to critique Dan Cohen's ethics bill, and hopefully, within ten days to draft preliminary legislation.

A meeting is scheduled for tomorrow that Dan Cohen and myself will be attending at 3:00 p.m. to look over the Solicitor's recommen-

dation for legislation.

From there, hopefully, we'll be meeting with the rest of City Council for input into the matter. I would say, and I hope Dan Cohen adds to this, that within two, hopefully three weeks, we will have a piece of legislation that hopefully will be acceptable to the Administration, to this body, and I'm sure to the public.

Mr. Cohen:

Mr. President, there's little that I can add to what Councilman Ricciardi has said. I appreciate his explanation of the process.

Councilwoman Madoff, nothing is being put on hold or being swept under the rug. I held my bill for two weeks in order for us to be able to work with the Administration. I'm hoping that with this process of enacting an ethics bill, that it will be a model for how Council and the Administration can work together to come up with the best possible legislation. We're in negotiations now and hopefully we'll be able to come out of negotiations with an agreement. I hope.

On the issue of having Councilpeople on authorities which is what you began with, I respectfully disagree with Councilwoman Madoff on that issue. I do think that having Councilpeople on authorities is a good thing, that it provides oversight for the authorities and also some community input as well.

But one thing that we should realize is that that is in the Home Rule Charter and for us to change that, it's not going to happen through legislation, it has to happen through a vote of the people of Pittsburgh. That would be by referendum and I think probably would not be included in legislation.

So, hopefully, we can, through this con-

ference committee, work together and come out with a bill that has teeth and is both forceful and fair. Thank you.

Michelle Madoff:

On the same subject. I want to apologize to my colleagues if they thought I was saying that I thought Councilmembers were sweeping it under the rug. I'm saying that the public's perception, if we don't tell the public what's going on as you've just done now which I think is very productive, is that we're sweeping it under the rug. That was the point I was trying to make.

And while I agree that while many of my colleagues who serve on boards and commissions and authorities right now, present members may be committed, honorable people and want to do the right thing, the fact remains, as I stated in 1989, the potential for cronyism, patronage and personal gain is greater than the benefits of Councilmembers sitting on a board voting for the purpose of representing Council. Alsocan and the Public Parking Authority are two primary examples. How do we know that we aren't going to have that kind of thing again? How do we know that the next people being elected might--

The Chair:

That whole issue will have its day in court here in Council and will be debated extensively.

Michelle Madoff:

But I'm just answering the comments. It was mentioned here and I'm just responding to what was said. Equal time, that's all I'm asking for.

And to wind that subject up, I think there are enough people in the university setting that

can offer the expertise that we need and we can select those people to have our input. I think it's inappropriate and I just wanted to state that. And it's nice to be able to disagree without being disagreeable. I thank you for that.

Mr. Ricciardi:

Point of Order, Mr. President. Are we going to have a vote on the motion that was seconded?

The Chair:

Would you like us to vote on the motion?

Michelle Madoff:

I think it's appropriate that I withdraw it since there is activity already underway and I thank you for bringing that forth so the public is informed.

The Chair:

Thank you. The motion is withdrawn.

Michelle Madoff:

On another subject. I don't know how many people here read the business times, but I think they summarize my sentiments about the lighting of the bridges.

In light of the fact that we're moving the fireworks from the Fourth to the Third to save \$40,000 in police overtime costs, and in light of the fact that we turn to industry to help us maintain the Pirates with contributions of millions of dollars, I was present and I don't know how many other people were there from this Council, at the experimental lighting of one of the bridges. I talked to a number of people who are architects and engineers and the architects said that they thought it was terrible because the ef-

fect of lighting the bridges washed out the shore and that while it may light the bridges, it takes away from the Downtown lighting and so on. They weren't too enthusiastic. Of course, that's a matter, like art, one's personal opinion, one's personal view.

I do not think that we can support, nor would I support, \$50,000 per bridge, \$5 million in wiring costs for 11 Downtown bridges, because I didn't think it was the greatest thing that every happened. Conceptually, it's great, but in practice, from my perspective, it was not workable.

But, more importantly, not knowing what was going to happen that night, I knew they were going to light the bridges, and in my naivete I thought they were going to be lit like we see the bridges now, with the light bulbs. And I went around saying to everybody, "How would you like to buy a bulb? Adopt a bulb for a year and pay the cost of a bulb and the electricity and maintaining it?" Everybody said, "Yes, sure, I'd be happy to." I wasn't kidding. I was sort of kidding on the square, but people were very serious about it.

If we want to light our bridges relatively inexpensively, why don't we have the Blue Bridge and the Purple Bridge and the Red Bridge and the Green Bridge and the Yellow Bridge and the Orange Bridge and people contribute to the lighting, as a tourist attraction to our City, by adopting a light bulb? I'm really serious about this.

I'll take one, when I find out what the cost is. Certainly I'd take one, maybe more than one. It would be a good investment in our City to get public participation. People would say, "That third light bulb on that bridge is mine." It's sort of an investment in the City. It would light up the City and it would be an interesting tourist attraction. The bridge that is lit with the bulbs

already is attractive. This may sound silly but it would save us certainly I think a lot of dollars and would still achieve the same goal.

I just put that forward for people to think about. I don't think it's funny; I think it's really workable. And I again repeat that the architect that I spoke to thought that the lighting of the bridges as they were done, washed out the shoreline and was not a productive way to go.

Mr. Ferlo:

I'm still trying to get some streets and alleyways lit up throughout the City which I hope would be a priority. But this is the perfect activity for the private sector. This is the perfect activity for the Allegheny Conference on Community Development to re-emerge as the think tank implementor group in the City and I applaud any effort they and other private sector folks do, even the lighting of the bridge or Michelle's idea of the adopt a light bulb campaign or anything of the sort. But I would hope that we would direct our energies, at least with City public dollars, in lighting up various streets and alleyways which are a public safety hazard.

Mr. Cohen:

As long as it's done by the private sector, I think it's a bright idea.

Mr. Ferlo:

I'd like to shed some other light on the subject.

Mr. Regan:

I'd like to just say that this could be the best thing that ever happened in this City. I think we need a lot more promotions to make ourselves a tourist attraction. Instead of people going to other cities, we'd like to have them

come here.

But when you start talking about engineers and architects that disagree, I think we ought to bring their names forward so you don't just pull something out of the hat. If somebody don't like it, then I think their names should be brought forward.

Michelle Madoff:

No problem. I think that's a worthy comment.

All I'm suggesting is that somebody might like a piece of art and someone else may not like it. One doesn't adhere to that because of like or dislike. I'm just giving you another way of lighting the bridges and indeed having a tourist attraction.

However, I think that \$5 million for wiring out of the City budget or the County is a bit much in these times and \$50,000 per bridge. I have some concerns about that. Maybe we can accomplish the same thing and get everybody involved and do it cheaper.

Mr. Regan:

From what I understood, that's what was going to be done. The money was going to be gotten from the private sector, which I think should happen. But I think that we're slipping and sliding when it comes to promoting this City. We have the greatest City in the world and I think we should just continue to promote it. We're Number One and we want to stay Number One.

Mr. Coyne:

On another issue, Mr. President. Two brief points for clarification. This morning in the Post Gazette I read an article talking about

the City trying to collect more money for past parking tickets. Mr. Hayllar, in that article, made a statement that the contract had been awarded, or that they had made an agreement with, a collection firm in Greentree.

Now, the City Charter gives Council the authority to approve all contracts so I was just hoping that Council could send a letter to Mr. Hayllar trying to find out exactly how they went about carrying out this deal. If a contract or an agreement has been made with a collection agency in Greentree without going through Council first, I'd like that to be clarified.

Also, on the old issue of Streets Run Road, the wall is further deteriorating over there. The recent rains we've had have made the condition worse, and what I would like is a legal opinion from the Law Department as to whose responsibility it is. We've been getting different stories as to whose responsibility it is. If I could have an actual legal opinion to share with the residents of the area and with Council as to exactly whose responsibility the wall is and the stream is, I'd appreciate it.

Mr. Ferlo:

Very briefly, two announcements. One is that Members are invited next Tuesday at 11:45 in the Conference Room following the regular order of business, to meet with a group of residents from Highland Park and Morning-side and other East End neighborhoods. They have formed the Friends of the King Estate.

They're concerned generally about the potential sale of the resource that we have, the King Estate, to a possible private individual family and they're concerned generally about maintaining it as a public resource.

This will be an issue that will come up before Council possible in August or September

by the Administration. They would like an opportunity to speak to Council collectively and, with the help of Mr. Wagner, we've set up a briefing session which the media is certainly welcome to attend next Tuesday at 11:45 in the Conference Room.

I hope Councilmembers will take just a few minutes. It will be a very brief briefing just to give you an overview of what the issue is and what some of their concerns are.

Secondly, Mr. Chairman, I'll be out at 5:00 cleaning up a lot at Snively and North St. Clair in the 11th Ward with the Block Watch Committee there. If there are any residents listening in that block who would like to join me in cleaning up the lot, we'll be there at 5:00 today. Bring your rakes and shovels.

Michelle Madoff:

On another matter. This Council will be confronted very shortly, we're already into June, July, and August we're out part of the time, I don't do August, and then we get into September, October, budget time. The preliminary budget is being drafted, I'm sure, by the Finance Chairman.

What we need to start thinking about before we allocate all our resources or the bulk of our resources, to hunger. Certainly, that's something we have to do, to think about incorporating literacy into the hunger dollars. You know the old saw about if you give a man a fish he eats for a day but if you give him a rod he can learn to feed himself.

One of the problems, and this is really the same issue, if people are hungry but they can't read and they can't fill out an application for a job, they can't get a job, because they can't read they can't advance in their job and they can't afford to support their families.

We don't really help people other than the immediate feeding of them if we don't help them to get off this and away from the issue of not being able to feed themselves. I think we ought to think about combining the literacy problem and hunger into one joint effort.

I'm going to be speaking to some of the leaders of the hunger movement to try to incorporate this concept of literacy and hunger being one and the same. Now, we do know where there are instances where people are quite literate and have to eat, and certainly we're not going to turn our backs and shirk our obligations. But I really think that we have an obligation to combine the two and help people to help themselves. People don't want a handout; they want a hand-up.

Mr. Regan:

I'd just like to say that I think you ought to fill their bellies up first to give them a little energy to read. You have to eat first.

This is a request from Dr. Jake Milliones and myself that there is only one Flag Day Parade in Allegheny County and that's in Jake and my district over in the North Side this coming Thursday. We'd be honored if the public and our colleagues would take time out to come over and visit us on Flag Day. Thank you.

Mr. Coyne moved to approve the Minutes of Tuesday, June 5, 1990.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 25

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, June 19, 1990

PRESENT:

MR. COHEN	MR. MILLONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 967 WHEREAS, the First Ecclesiastical Jurisdiction of the Church of God In Christ will honor Mother Bernice Groce at an Installation Dinner on June 23, 1990 at the Pittsburgh Hilton; and

WHEREAS, Mother Groce will be installed as the State Supervisor of Women for the First Ecclesiastical Jurisdiction of Western Pennsylvania; and

WHEREAS, Mother Groce has been active in the Church of God in Christ since age 13 when she became a member of the Clairton Church of God in Christ; and

WHEREAS, for many years Mother Groce worked as a Sunday School teacher and held membership in Y.P.W.W. and "Quintette", a musical group that sang in Western Pennsylvania and Ohio; and

WHEREAS, because of Mother Groce's love, untiring support and encouragement for mankind, many have reached high plateaus in life; and

WHEREAS, Mother Groce is recognized throughout the State of Pennsylvania as a pillar of her community and a woman dedicated to the uplifting of women and men from all walks of life.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Mother Bernice Groce for her wisdom and dedication to enhance and support the lives of others and wishes her success today and in all her future endeavors.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President and my colleagues of Council, I want to bring to your attention today that this is a great thing that is happening with the Churches of God in Christ here in Western Pennsylvania. The Churches of God in Christ nationwide consist of over 3 million Black people and one of the largest Pentecostal movements in the world.

This lady that we have before us today will be installed on Saturday and a lot of our national people from Memphis, Tennessee and all over the world will be here for this great occasion. The occasion consists of that this lady will serve Western Pennsylvania and in the Churches of God in Christ which will comprise of over some 4,000 or 5,000 women. She is quite a lady and I'm so honored that we're honoring her today.

Mother Groce:

Thank you, Reverend Darkins. I give thanks to God and to all of you that are in the house today.

I'd just like to introduce my husband, Ralph Groce. Gladys Williams, one of our District Missionaries of the Western Jurisdiction.

And Sister Alberta Jones who works very close with me, and Sister Reva Day is a District Missionary in the district and Sister Lillian Gibson, my secretary and District Missionary. And part of my right hand is my daughter-in-law, Elizabeth Groce.

I'd just like to say to you, thank you very kindly. And if there's anything that I can do to be of any help to you, you just call on me and I'm at your service.

Mr. Darkins:

Just as a state of humor, I want to bring to Council's attention today, as Michelle would be our First Lady of Council, this is the First Lady of Western Pennsylvania Churches of God in Christ.

The Chair:

Thank you all.

Mr. Darkins and Mr. Ricciardi present

No. 968 WHEREAS, June 8-24, 1990 has been proclaimed as "Jazz Time in Pittsburgh"; and

WHEREAS, the Mellon Jazz Festival is dedicated to a jazz great and Pittsburgh native son, Bill Strayhorn, composer, arranger and pianist, who made musical history with Duke Ellington and his famous orchestra; and

WHEREAS, nearly 50 performances will be held at a variety of places including clubs and Citiparks Senior Citizens Centers to date the largest musical celebration in Pittsburgh; and

WHEREAS, the Festival offers programming to be enjoyed by music lovers of any age; and

WHEREAS, the Festival will conclude on Sunday afternoon, June 24, at the Fox Chapel Yacht Club with an afternoon of Jazz to benefit St. Peter's Child Development Centers, featuring local celebrities on saxophone, trombone, trumpet, guitar, drums, piano and vocals.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Mellon Bank and the organizers of the Mellon Jazz Festival 1990 for its dedication to keeping jazz alive in Pittsburgh, a City with a bountiful and rich jazz history.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

I am proud to say that I attended Westinghouse High School with Bill Strayhorn and was in the orchestra there with him. And today to receive for the family is his nephew, Darryl Strayhorn.

Mr. Strayhorn:

On behalf of the Strayhorn family, I'd like to say thank you very much.

Mr. Darkins:

We also have Ellen Srodes from Mellon Bank that is in conjunction in helping put the Jazz Festival on for us here in the City of Pittsburgh.

Ms. Srodes:

Thank you. I just want to say that we don't do this by ourselves. We get an awful lot of help from many hundreds of people in the City.

We thank the City for your support.

Citiparks has been a partner with us for years in this Festival. They have a great staff and we couldn't do it without them. Thank you.

Mr. Darkins:

We have John Fedele who is here today representing St. Peters where the money that will be raised from the Fox Chapel Yacht Club to help children, he's here representing St. Peters.

Mr. Fedele:

I'd just like to thank City Council among all the legions of people who do help put this together, Mellon Bank especially for being the impetus and really the driving force.

I hope to see everybody a week from Sunday at the Yacht Club.

Mr. Darkins:

Last but not least, from our own City of Pittsburgh Parks and Recreation, we have Carl Mancuso who is the one that helps put the entire program together with Director Brown. I was so glad that Councilman Ricciardi joined me with this because it's his Department that he is the Chairman of. It was a beautiful thing that we could do in conjunction with each other.

Mr. Mancuso:

Thank you, Reverend Darkins and Councilman Ricciardi.

Citiparks has been involved with the Jazz Festival since its inception. Working with Mellon has been a pleasure over time and we, of course, cooperate with them in the ways that help to bring the Jazz Festival to the communi-

ties.

I do not want to take the credit for really having done this. It is certainly my staff that has worked so hard and the cooperation that we get from all of the City fathers that allow us to do this.

Thank you very much.

Mr. Darkins:

Should you go down to the Jazz Festival and you want to be in tune and in touch with what's going on, Mellon Bank has also, for each Councilperson, a tee shirt saying, "Mellon Bank's Jazz Festival".

Thank you, Mr. President.

The Chair:

Mr. Cohen, can we receive these?

Mr. Cohen:

I believe so. Yes. I've been to the Jazz Festival and it's great. It really is.

The Chair:

Thank you all very much for coming.

Mr. Ferlo:

I'd like the representatives from the Crime Stoppers Magazine to come forward. We have Kevin Gaughan, Mark Bedillion and Leslie Grey.

Mr. Ferlo presents

No. 969 WHEREAS, safe streets and crime-free neighborhoods are indispensable attributes of a healthy urban environment in which

people and businesses can thrive; and

WHEREAS, "GREATER PITTSBURGH CRIME STOPPERS MAGAZINE" is a private sector initiative dedicated to increasing citizens participation in the prevention of crime by coordinating the programs of the City of Pittsburgh Public Safety Department, the Pennsylvania State Police, the FBI, the Fugitive Task Force and experts in the fields of drug and alcohol rehabilitation; and

WHEREAS, City residents, merchants and neighborhood groups can use "GREATER PITTSBURGH CRIMESTOPPERS MAGAZINE" to educate themselves about crime prevention organizing, and to safely assist in the location of missing children and the apprehension of criminal offenders.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and applauds the efforts of the "GREATER PITTSBURGH CRIMESTOPPERS MAGAZINE"; and

BE IT FURTHER RESOLVED, that the Council declares the week of July 1 through July 7, 1990 as "CRIME PREVENTION AWARENESS WEEK" in the City of Pittsburgh and encourages all citizens to take advantage of the vital services offered by the "GREATER PITTSBURGH CRIME STOPPERS MAGAZINE" as we all strive together to make Pittsburgh a model for the rest of the Commonwealth and the Nation.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, I know you've been active with this group and have been in touch with them in the past. This is an initial copy of the Crime Stoppers Magazine that was put out and being distributed all around Pittsburgh and Western Pennsylvania.

I'd like to introduce several of the key people here today. Two in particular would like to make brief comments. Kevin Gaughan and Mark Bedillion who represent the forces behind putting this important initiative together.

Mr. Gaughan:

Good morning, Mr. President and Members of Council.

My name is Kevin Gaughan and I reside in the Knoxville area of the City. I am the owner of Cornerstone Printing and Publishing and I'm also involved in several community organizations such as the Pittsburgh Hilltop Lions Club, the Zone 3 Police Citizens Council, and the 30th Ward Knoxville Block Watch Program.

Several months ago while involved with the Block Watch Program, I conceived the idea of publishing photographs and profiles of criminals wanted by the Pittsburgh Police, the Fugitive Task Force and the FBI, and any other police agencies willing to participate. Also, I would publish missing children and reward information in a magazine form.

This is how Crime Stoppers Magazine originated. As a tangible medium, I believe it to be one of the most effective. This approach would allow people to visually commit to memory anyone being sought by the authorities.

In our first publication we will publish photographs of Carolyn Bradley, mother of four, who was murdered senselessly in Beaver County in a convenience store. And Peggy

Voegel of Cranberry who was also senselessly murdered. And David Robbins, an 18 year old from Washington County who was murdered.

All of the above cases have something in common. Their murderers continue to walk our streets.

We will be publishing the photos of these victims and asking anyone with information to call the appropriate numbers listed on the designated police agency pages. Criminal activity cannot be eliminated by law enforcement agencies acting alone. It requires the efforts of every citizen, business, institution and corporation as well.

It is my sincere hope that this publication will create an awareness within the general public that crime exists and is a serious problem within our communities. It requires the attention from every segment of society.

Pittsburgh remains a relatively safe city, and we certainly want to help keep it that way. With the circulation of 50,000 or more, this magazine will be free to the public and will be distributed through all Pittsburgh Foodlands and other various locations.

Additionally, in order for this publication to take place and become marketable and an educational tool, I thought I needed to involve a few key people. Sergeant Mike Brown of the Pittsburgh Police Department was very helpful in direction and information. A small businessman by the name of Rick Self was also very helpful in the marketing plans. Also helpful was our attorney, Leslie Grey, as our legal representative. And Mark Bedillion who subsequently added another dimension to the publication which focused on the underlying issues of today's criminal activities which are drug and alcohol related.

I would like to introduce everybody to Mark Bedillion.

Mr. Bedillion:

I would like to thank all Members of City Council for allowing us time to present this vital project. It's quite an honor to be here.

It is encouraging to find government officials who are willing to get involved in a project of this magnitude. However, this is exactly what makes Pittsburgh so special.

Crime Stoppers Magazine was created by Kevin Gaughan to protect communities from criminals and to find our mission persons. I got involved with the magazine because Kevin and I have similar beliefs.

I currently hold an MSED in Counselor Education from Duquesne University. I have counseled many people with addictions using an eclectic approach. I have enough knowledge to report the incredible damage being done by drug and alcohol abuse.

There are many people in jail as a direct result of drug and alcohol abuse, whether for murder, rape, violent behavior, drunk driving, or a number of other drug and alcohol related offenses.

A number of people are also dying from suicide, drug overdoses and automobile accidents.

Furthermore, drug addiction and alcoholism are multi-generational. There can be six generations of family members alive at one time who are chemically affected.

If we don't do something soon, this problem is going to continue to be perpetuated.

Consequently, our magazine serves several vital functions. One, a forum to educate the public concerning all forms of addiction, chemical and otherwise, co-dependency, anorexia, bulimia, and any other life-threatening situation.

Two, it's a format to teach families how to repair the existing damage.

And three, it's a place where people may become knowledgeable concerning prevention, intervention, addiction, recovery, relapse, after-care, and underlying psychological issues which may prompt criminal behavior resulting from addiction.

We hope to bring all factions of society together to combat these problems - government, education, medical, corporations, spiritual leaders, business and every citizen in Pittsburgh. Furthermore, we hope to promote this endeavor nationally with Pittsburgh leading the way as a role model.

In conclusion, I would again like to thank City Council, the City Controller Tom Flaherty, the Pittsburgh Police, the FBI, the Fugitive Task Force, all the great people of Pittsburgh, and especially Sergeant Mike Brown of the Pittsburgh Police who made this publication possible. Thank you very much.

Ms. Grey:

I want to thank you for your passage of the proclamation today.

Also, my husband, Rick Self, is the third principle in this group. He and Kevin worked very hard developing this idea. They are private businessmen. They are very committed to this concept.

We're not seeking City funds. We're simply seeking to help the City police force do

their job a little better and allow us City residents to live a little more safely and comfortably. Thank you again.

The Chair:

Thank you all very much.

Mr. Ricciardi:

I would like to ask Monsignor Michael Poloway from St. John the Baptist Church in the South Side, the Very Reverend Vladimir Jaworsky of the St. Vladimir Ukrainian Orthodox Church of the South Side, and Dr. George Kyshakevych to please step forward. Dr. Kyshakevych is the Chairman of the Ukrainian National Room Committee for the past 17 years.

Mr. Ricciardi presents

No. 970 WHEREAS, the Ukrainian heritage will be honored June 17, 1990 with the dedication of the Ukrainian Nationality Room at the University of Pittsburgh; and

WHEREAS, the Ukraine was an independent country at certain times throughout history; however, since 1923 it has been a member of the Union of Soviet Socialist Republics; and

WHEREAS, the University of Pittsburgh Nationality Room changed requirements and now allow rooms that represent a body of people associated with a particular territory; and

WHEREAS, the Ukrainian Nationality Room will represent the reception area of the residence of an 18th Century Ukrainian Nobleman; and

WHEREAS, the Ukrainian Committee raised the money for the room themselves by holding concerts, soliciting individual contributions and through fund-raising events; and

WHEREAS, according to the Nationality Room Committee's history, the first Ukrainians settled in Pittsburgh in 1859; and

WHEREAS, most of the early Ukrainian immigrants settled in the South Side of Pittsburgh, where they were employed in the steel mills; and

WHEREAS, there are some 15,000 Ukrainians in Pittsburgh who are connected through the 32 churches in Western Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes the Ukrainian Committee for their hard work in raising the funds that enabled this dream for a Ukrainian Room to be possible and hereby declares June 17, 1990 to be Ukrainian National Heritage Day in Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, Members of Council. Before we introduce our guests this morning, I'd just like to say that it was an honor and privilege of mine to take part in the ceremonies this past Sunday beginning with 10:00 a.m. Mass at Monsignor's Church, followed by the dedication of the Room at the University of Pittsburgh, and the banquet at St. George's in the North Side of Pittsburgh.

I'd like to ask our guests to say a few words today, beginning with Monsignor.

Monsignor Poloway:

I just want to thank the Councilmembers for the resolution that was passed. We are grateful to all of you for recognizing us as an ethnic people who, for so long, have been persecuted in Europe, in our own homeland. And here in America we got very little recognition because we were all considered Russian and not Ukrainian, which is our proper ethnic origin.

Because of this Nationality Room that was dedicated, it comes to show to the public eye that there is a nation called the Ukraine and there are people that have come from the Ukraine to the United States to settle and to propagate their own customs and traditions in the way they were raised and born. And we of the American origin who were born here in America, are very proud of our own heritage and we continue to take pride in it and we'll continue to expand it as much as we can.

Thank you very much.

Reverend Jaworsky:

President, Honorable Council of our beautiful City of Pittsburgh, and our Councilwoman, Ms. Madoff. Congratulations. I watch you very often in debates. Fight for our rights. God bless you.

Michelle Madoff:

Thank you.

Reverend Jaworsky:

Ladies and gentlemen, President, it took 55 years for our little Ukrainian community to finally be recognized that we exist. We are 1,000 years nation of Christianity. Before that, about 3,000 years or 4,000 years of our history, it was very hard and painful not to be recognized

and always to be told that you are Russian or a Pole or Austrian or somebody else.

We thank you. We thank Dr. Kyshakevych who really was dedicated and spent a lot of time, a lot of his own money, finally to arrive at that point that last Sunday we had the occasion to open that beautiful Ukrainian Room at Pitt.

Now, my friends, Monsignor Poloway was thanking you as born here in the United States physically. I thank you as born here in the United States, again born, the second time when I arrived in this country I was born here. Free, without being told where to go, when to go and what to do. As I saw today, this Pledge of Allegiance, it really is something to listen to.

I remember when I was a young man, I never saw the United States, but I carried, as being a member of the Ukrainian Underground, the Flag of the United States of America. It was sewn into my shirt. There were many more like us today to listen to what's going on in this beautiful country. It's really painful that they don't respect their own Flag.

Thank you. I don't want to tell you your own history. God bless you all. Thank you.

Mr. Ricciardi:

They were very touching words by the Very Reverend Jaworsky.

Before we introduce our last guest, if I may say to the public, for the older adults of Ukrainian heritage that were unable to make the dedication yesterday, we will be receiving the tape from the University of Pittsburgh. Co-sponsored with our clergy from the South Side, I will be showing the tape in our area for the adults that were not able to attend.

Our next speaker has shown dedication and hard work because Dr. George Kyshakevych has been Chairman of the Nationality Room Committee for the past 17 years. And in order to raise \$250,000 and to get the University of Pittsburgh to change the policy, you can image the hard work and dedication it took.

Dr. Kyshakevych:

Thank you very much. I thank you first of all, City Council, for passing this dedication. I must say that last Sunday, on the opening of this room, I felt that this was one of the happiest days in my life. Thank you very much.

The Chair:

Thank you all for coming today. It's been an honor.

The Chair presents

No. 971 WHEREAS, approximately five acres of property in the lower Strip District located between the Veterans' Bridge, 11th Street, Smallman Street and the Allegheny River, is under the control of the Pennsylvania Department of Transportation and the Federal Highway Administration; and

WHEREAS, an earlier plan for Interstate 279 Highway and the Veterans' Bridge across the Allegheny River called for exit and entrance through ramps through the lower Strip District for access to Downtown; and

WHEREAS, the highway plans were changed and the exit and entrance ramps to I-279 did not become part of the highway; therefore, the land is no longer needed for this purpose; and

WHEREAS, there have been numerous

requests to the Federal Highway Administration and the Pennsylvania Department of Transportation to transfer this land to the Urban Redevelopment Authority of Pittsburgh for public purposes; and

WHEREAS, the property is presently used for surface parking and, due to the fact that it is adjacent to the Allegheny River, this is not a desirable use of this land; and

WHEREAS, in order for this property to be used for public purposes or a development which could enhance the David L. Lawrence Convention Center and Downtown Pittsburgh, the property must first be conveyed to local public ownership.

NOW, THEREFORE, BE IT RESOLVED, that the Pennsylvania Department of Transportation and the Federal Highway Administration move expeditiously to convey the property in the lower Strip to the City of Pittsburgh and the Urban Redevelopment Authority.

Mr. Milllones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

The resolution speaks for itself. We're trying to get some land that is under the control of PennDOT back to the City of Pittsburgh.

Mr. Cohen presented

No. 884 Resolution further amending Res. No. 427, eff. 6/10/88, as amended by Res. No. 632, eff. 8/12/88, entitled, "Providing for a Cooperation Agreement or Agreements with the URA of Pgh. to provide authorization for the URA of Pittsburgh to act as an agent of the City

of Pittsburgh, in matters of Property Acquisition and Relocation of Street Rights-of-Way in connection with the Reconstruction of Grant Street/Liberty Avenue, Phase III, Liberty-10th Street-6th Avenue; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Dept. of Transportation and providing for the payment of the costs thereof, by increasing the aggregate amount by \$183,800.00 from \$331,200.00 to \$515,000.00, chargeable to and payable from the Grant Street Trust Fund.

Also,

No. 885 Resolution further amending Resolution No. 353, eff. 4/30/86, as amended by Res. No. 203, eff. 4/3/89, entitled, "Providing for an Agreement or Agreements, or Supplement Agreement or Agreements, with a Consultant or Consultants for Design Services in connection with the Reconstruction of Arlington Avenue from East Carson Street to East Warrington Avenue; and providing for the payment of the costs thereof," by amending the title to include Construction Inspection Services.

Also,

No. 886 Resolution further amending Res. No. 1061, eff. Jan. 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by amending the title of a line item, (Perry North Senior Center). The Perry North Senior Center is located in Council District #1.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 887 Resolution transferring the aggregate sum of \$8,580.00 from Code Account 10 (001008) Accounts Payable, Prior Years (\$4,000) and Code Account 46 (004606) Judgments (\$4,580) to Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation. --- (SPONSORED BY MR. DARKINS AND MR. REGAN)

Which was read and referred to the Committee on Finance.

Also,

No. 888 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Police Athletic Association for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$8,580.00, chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation. --- (SPONSORED BY MR. DARKINS AND MR. REGAN)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 889 Resolution providing for an Agreement granting to Port Authority of Allegheny County the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by the Port Authority of Allegheny County in the 19th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only or

after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 890 Resolution authorizing the Mayor and the Director of the Dept. of Public Works to execute a long term Agreement with Fox Chappel Borough to construct a public sewer through properties owned by the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 891 Resolution transferring the amount of \$100,000.00 from Code Account No. 57, (005702), Social Security Fund to the Emergency Flood Relief and Water Damage Trust Fund(EFRWD). ---**(SPONSORED BY MR. FERLO)**

Also,

No. 892 Resolution establishing a special trust fund to be designated as the Emergency Flood Relief and Water Damage Trust Fund (EFRWD), for the deposit of cash, contributions, and grants from Private Citizens, Businesses, Governmental Agencies, and any other source, and authorizing the use of the funds deposited therein to provide financial assistance to city residents for the repair or replacement of furnaces, heating systems, electrical units, plumbing, sewage and other fundamental systems which sustain flood damage. ---**(SPONSORED BY MR. FERLO)**

Which were read and referred to the Committee on Finance.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 893 An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article IX - Boards, Commissions and Authorities, by adding Chapter 180, Pittsburgh Food Police Commission. ---**(SPONSORED BY MR. FERLO, MR. COYNE, MR. COHEN, MR. DARKINS, MR. REGAN AND MR. RICCIARDI)**

Which was read and referred to the Committee on Finance.

Also,

No. 894 Resolution amending Res. No. 143 eff. Feb. 28, 1990 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Development for a grant in connection with the 1990 CDBG Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories" so as to reduce the overall grant amount from \$16,000,000 to \$15,711,000 (- \$289,000) as shown in the Dept. of City Planning

administrative line item, and add Index Code to the projects. In order to reach this Final Grant Agreement total, the Dept. of City Planning line item "Salaries, Fringes, and Indirect Costs of CD Program" (CDCP), was reduced from \$1,050,000 to \$761,000 (-\$289,000).

Also,

No. 895 Resolution providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities, at a cost not to exceed \$390,000.00.

Also,

No. 896 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the printing and delivery of projects including but not limited to the Six-Year Development Program for the Department of City Planning, Code Account CDCP, at a cost not to exceed \$75,000.00, chargeable to and payable from the 1989 CDBG Program, Dept. of City Planning, CDCP (CP-89-01) "Citizen Participation & Technical Assistance".

Also,

No. 897 Resolution amending Res. No. 317, eff. April 13, 1989, entitled, "Providing for a Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof," so as to reduce the amount encumbered from \$525,000 to \$450,000, chargeable to and payable from Citizen Participation and Technical Assistance, Dept. of City Planning (CP-89-02).

Also,

No. 898 Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the printing and delivery of projects including but not limited to the Six-Year Development Program for the Department of City Planning at a cost not to exceed \$75,000.00, chargeable to and payable from the 1990 CDBG Program, Dept. of City Planning CDCP, "Citizen Participation & Technical Assistance".

Also,

No. 899 Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) for the purpose of assisting the City in preparing and implementing a two-way communications process for the purpose of citizen involvement in planning, implementing and evaluating City programs and projects including but not limited to the Six-Year Development Program, the Community Development Block Grant Application and the Neighborhood Revitalization Program, and for providing planning and architectural assistance, at a cost not to exceed \$515,000.00, chargeable to and payable from the Citizen Participation and Technical Assistance, Dept. of City Planning (CP-264-90).

Also,

No. 900 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District

Revitalization Program, at a cost not to exceed \$285,000.00.

Also,

No. 901 Resolution providing for an Agreement or Agreements with Tri-State Conference on steel for professional services in connection with their educating the public and advocating the needs of the community regarding a Magnetic Levitation Transportation System, at a cost not to exceed \$5,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - Tri-State Conference on Steel (CC-43-915).

Also,

No. 902 Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the unemployed, in an amount not to exceed \$32,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "United Jewish Federation of Pittsburgh" (CC-43-904).

Also,

No. 903 Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled and child care center, in the amount not to exceed \$20,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Ursuline Center" (CC-43-920).

Also,

No. 904 Resolution providing for an Agreement or Agreements with Welfare Rights Organization for administrative/operating

support, in an amount not to exceed \$10,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Welfare Rights Organization" (CC-43-937).

Also,

No. 905 Resolution providing for an Agreement or Agreements with the West End Health Care Center for administrative assistance in operating its services in an amount not to exceed \$5,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "West End Health Center" (CC-43-928).

Also,

No. 906 Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low-income women experiencing domestic violence problems, in an amount not to exceed \$19,200.00, chargeable to and payable from the 1990 CDBG Program, City Council, "Women's Center and Shelter" (CC-43-933).

Also,

No. 907 Resolution providing for an Agreement or Agreements with the YMCA of Pittsburgh - Centre Avenue Branch for interior rehabilitation in an amount not to exceed \$15,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "YMCA of Pittsburgh - Centre Avenue Branch" (CC-43-934).

Also,

No. 908 Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community

Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$75,000.00.

Also,

No. 909 Resolution providing for an Agreement or Agreements with the "Rainbow Kitchen" for operating a Food Distribution System for low-moderate income families, at a cost not to exceed \$3,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Rainbow Kitchen", (CC-43-912).

Also,

No. 910 Resolution providing for an Agreement or Agreements with the Riverview Apartments for interior rehabilitation in an amount not to exceed \$2,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Riverview Apartments" (CC-43-910).

Also,

No. 911 Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Services for administrative assistance in operating the therapeutic activity social services programs for the severely mentally impaired, in an amount not to exceed \$21,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - Riverview Center for Jewish Services (CC-43-911).

Also,

No. 912 Resolution providing for an Agreement or Agreements with the St. Clair Citizens Council for the operation of their food pantry, feeding and housing counseling programs for the benefit of the residents of the

City of Pittsburgh at a cost not to exceed \$5,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "St. Clair Citizens Council" (CC-43-927).

Also,

No. 913 Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their "adopt a lot" program in an amount not to exceed \$20,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - (CC-43-941) "Spring Garden Neighborhood Council".

Also,

No. 914 Resolution providing for an Agreement or Agreements with the St. Rosalia Church Food Bank for administrative assistance in operating their food distribution program in an amount not to exceed \$4,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "St. Rosalia Church Food Bank" (CC-43-913).

Also,

No. 915 Resolution providing for an Agreement or Agreements with Support (formerly Legal Advocacy for Women), an organization that provides counseling and information for the low-income women experiencing problems in obtaining child support payments, in an amount not to exceed \$10,000.00, chargeable to and payable from the 1990 CDBG Program, City Council, "Support" (CC-43-932).

Also,

No. 916 Resolution providing for an Agreement or Agreements with the Three Rivers Center for Independent Living for the

rehabilitation of their basement for use as a multi-purpose center, at a cost not to exceed \$7,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - Three Rivers Center for Independent Living (CC-43-914).

Also,

No. 917 Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support in an amount not to exceed \$20,045.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Perry Hilltop South CDC" (CC-43-926).

Also,

No. 918 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$209,328.00.

Also,

No. 919 Resolution providing for an Agreement or Agreements with Pittsburgh Community Services Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$150,000.00, chargeable to and payable from the 1990 CDBG Program - City Planning - "Pittsburgh Community Services, Inc." (CP-468-90).

Also,

No. 920 Resolution providing for an

Agreement or Agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program including Block Watch Organizers, and the installation of locks and smoke detectors in the City, in an amount not to exceed \$240,000.00.

Also,

No. 921 Resolution providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the "Pittsburgh Literacy Initiative" a pilot project aimed at promoting healthy parent/child relationships in low/moderate income families, at a cost not to exceed \$7,640.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Pittsburgh Literacy Initiative" (CC-43-930).

Also,

No. 922 Resolution providing for an Agreement or Agreements with Project 90 for financial assistance in the operation of their scholarship program, in an amount not to exceed \$7,142.00, chargeable to and payable from the 1990 CDBG Program - City Council - (CC-43-936).

Also,

No. 923 Resolution providing for an Agreement or Agreements with the Program for Female Offenders to purchase a van in support of the Agency at a cost not to exceed \$20,000.00, chargeable to and payable from the 1990 CDBG Program - City Council "Program for Female Offenders" (CC-43-942).

Also,

No. 924 Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Council for administrative/operating

support of their "Housing Information Program" in an amount not to exceed \$5,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - Lawrenceville Citizens Council (CC-43-917).

Also,

No. 925 Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for acquisition and site preparation in their housing development and revitalization program at a cost not to exceed \$14,500.00, chargeable to and payable from the 1990 CDBG Program "City Council" - Lawrenceville Development Corporation" (CC-43-918).

Also,

No. 926 Resolution providing for an Agreement or Agreements with Metropolitan Tenants Organizations for support of their housing counseling services to assist elderly and low income tenants at a cost not to exceed \$10,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Metropolitan Tenants Organization" (CC-43-935).

Also,

No. 927 Resolution providing for an Agreement or Agreements with the Minority Youth Development Company to provide administrative support to the Agency (to operate a "Mentor Relationship with Urban At-Risk Youth" Program) in an amount not to exceed \$8,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Minority Youth Development Company" (CC-43-908).

Also,

No. 928 Resolution providing for an

Agreement or Agreements with Mom's House to purchase a building and provide administrative assistance with their services for unwed mother's program in an amount not to exceed \$25,000.00, chargeable to and payable from the 1990 CDBG Program - City Council (CC-43-923).

Also,

No. 929 Resolution providing for an Agreement or Agreements with the Mt. Washington Children's Center for site improvements at their outdoor playground at a cost not to exceed \$5,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Mt. Washington Children's Center" (CC-43-931).

Also,

No. 930 Resolution amending Res. No. 200 eff. March 13, 1987, as amended by Res. No. 267 eff. April 13, 1989, entitled "Providing for an Agreement or Agreements with the Parental Stress Center, Inc., to provide administrative support to the Agency, so as to increase the overall allocation from \$41,000.00 to \$43,000.00.

Also,

No. 931 Resolution providing for an Agreement or Agreements with the Golden Carriage, Inc., a non-profit corporation, to provide community social services including a shopping-transportation escort service to the aged, handicapped, and disabled in an amount not to exceed \$15,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Golden Carriage" (CC-43-934).

Also,

No. 932 Resolution providing for an

Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance at a cost not to exceed \$12,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Hazelwood-Glen-Hazel-Glenwood" (CC-43-903).

Also,

No. 933 Resolution providing for an Agreement or Agreements with Homewood-Brushton Community Improvement Association for expansion to and operating assistance for their multi-purpose recreation facility in an amount not to exceed \$16,142.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Homewood Brushton Community Improvement Association" (CC-43-925)."

Also,

No. 934 Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$55,000.00, chargeable to and payable from the 1990 CDBG Program - City Planning - "Hunger Services Network" (CP-467-90).

Also,

No. 935 Resolution providing for an Agreement or Agreements with the Jewish Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$20,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Jewish Community Center" (CC-43-905).

Also,

No. 936 Resolution amending Res. No. 289 eff. April 13, 1989, entitled "Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Senior Escort Program) to provide administrative support to the Agency, so as to increase the amount appropriated from \$13,500.00 to \$15,143.00 (+ \$1,643.00 - 1990 funds).

Also,

No. 937 Resolution amending Res. No. 290 eff. April 13, 1989, entitled "Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Small Chore and Shopping Program) to provide administrative support to the Agency, so as to increase the amount appropriated from \$10,750.00 to \$12,750.00 (+ \$2,000.00 - 1990 funds).

Also,

No. 938 Resolution providing for an Agreement or Agreements with the Lawrenceville/Bloomfield Meals on Wheels for maintenance and program support in an amount not to exceed \$5,300.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Lawrenceville/Bloomfield Meals on Wheels" (CC-43-919).

Also,

No. 939 Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their "Employment Training Program for Special Need Adults" in an amount not to exceed \$10,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - Community College of Allegheny County.

Also,

No. 940 Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative/operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$20,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Elder-Ado" (CC-43-922).

Also,

No. 941 Resolution providing for an Agreement or Agreements with the Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$15,600.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Elizabeth Seton Center" (CC-43-924).

Also,

No. 942 Resolution providing for an Agreement or Agreements with the Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$10,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - Esplen Senior Citizens Association (CC-43-929).

Also,

No. 943 Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$30,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "Garfield Jubilee Association" (CC-43-921).

Also,

No. 944 Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program in an amount not to exceed \$2,000.00, chargeable to and payable from the 1990 CDBG Program, City Council "Generations Together" (CC-43-902).

Also,

No. 945 Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the "Housing Counseling Program" for low-moderate income families, at a cost not to exceed \$225,000.00, chargeable to and payable from the 1990 CDBG Program, Dept. of City Planning (CP-476-90) "Housing Counseling Services".

Also,

No. 946 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus from May 1, 1990 through April 30, 1991 for low and moderate income persons of the Hill District and Oakland, at a cost not to exceed \$200,000.00, chargeable to and payable from the 1990 CDBG Program "Hill/Oakland Loop Bus", Department of City Planning (CP-33-90).

Also,

No. 947 Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1990 CDBG Program, City Council, "Bloomfield-Garfield Corporation, (CC-43-

916).

Also,

No. 948 Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home, in an amount not to exceed \$50,000.00, chargeable to and payable from the 1990 CDBG Program - City Council - "CareBreak" (CC-43-938).

Also,

No. 949 Resolution providing for an Agreement or Agreements with Community Based Organizations and for community and economic development planning assistance in various neighborhoods in the City and providing operating support for groups undertaking community economic development through the Pittsburgh Partnership on Neighborhood Development, in an amount not to exceed \$495,000.00, chargeable to and payable from the 1990 CDBG Program - Dept. of City Planning - "Community Based Organizations" (CP-480-90).

Also,

No. 950 Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the "Commission on Families" program at a cost not to exceed \$100,000.00, chargeable to and payable from the 1990 CDBG Program, Dept. of City Planning, "Commission on Families", (CP-465-90).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 951 Resolution prohibiting the City of Pittsburgh from investing any monies, including but not limited to pension funds, in the stocks, securities or other obligations of any tobacco company, and further authorizing and directing the City of Pittsburgh to withdraw any monies, including but not limited to pension funds, presently invested in the stocks, securities, or other obligations of any tobacco company. ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 952 Resolution providing for the City Controller and the Director of General Services to enter into a Contract or Contracts, or for the use of existing Contracts to purchase on optical disk imaging technology system for the Controller's Office, at a cost not to exceed \$55,000.00, chargeable to and payable from Code Account 1051, Equipment.

Also,

No. 953 Resolution providing for Agreements with Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and the Polish Hill Civic

Association relative to settlement of certain litigation relating to billboards and construction of the Bloomfield Bridge, and providing for conveyances by the City of Pittsburgh of certain properties, and providing further for certain payments not to exceed \$24,549.50. The payment to Patrick in an amount not to exceed \$20,000 and the payment to POA of an amount not to exceed \$4,549.50, is chargeable to and payable from the Bloomfield Bridge Trust Fund.

Also,

No. 954 Resolution authorizing the City of Pittsburgh ("City") to lease from the Commonwealth of Pennsylvania, Dept. of Transportation, certain property in the Second (2nd) Ward of the City of Pittsburgh, for a term of fifty (50) years, at an aggregate rental of One Dollar (\$1.00); and authorizing the City, as agent of Allegheny County and the School District of Pittsburgh, to convey to the Commonwealth of Pennsylvania, Dept. of Transportation ("PennDOT"), certain property in the Eighteenth (18th) Ward of the City, along Saw Mill Run Boulevard at the Liberty Tubes, identified in the Deed Registry Office of Allegheny County as Block 15 P, Lot 101 and Block 34 B, Lot 111, for total consideration of One Dollar (\$1.00).

Also,

No. 955 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 956 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Property Tax Reduction Trust Fund (PTRTF), for the deposit of monies from donations, contributions, grants or local funds, as may be provided for property tax reduction, and authorizing the use of monies deposited therein by the Department of Finance.
---(SPONSORED BY MR. RICCIARDI)

Also,

No. 957 Resolution transferring the amount of \$5,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to the Property Tax Reduction Trust Fund (PTRTF). --- (SPONSORED BY MR. RICCIARDI)

Which were read and referred to the Committee on Finance.

The Chair presented

No. 958 Resolution transferring the amount of \$45,000.00 from Code Account 1005-3 (100537), Printing Pittsburgh Code, City Clerk, to Code Account 1001-1 (100115), Miscellaneous Services, City Council.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 959 Communication from Mary Conturo, City Solicitor, submitting a Quarterly Report of the settlement of small claims not exceeding \$750.00 for the First Quarter of 1990, payable from Code Account No. 1081, Petty Claims; also, a Quarterly Report of settlement claims in excess of \$750.00 for the First Quarter of 1990, payable from Code Account No. 46, Judgments.

Also,

No. 960 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the exclusion of moderately disabled students from the Summer Youth Employment and Training Program for Handicapped Youth this summer.

Which were read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 961 Communication from Sohpie Masloff, Mayor, City of Pittsburgh, returning with her veto Council Bill No. 784, entitled, "Resolution granting the University of Pittsburgh a license to construct telephone and electrical conduits on the City's right-of-way."

Which was read.

(MAYOR'S VETO LETTER)

June 15, 1990

President and Members
City Council
City of Pittsburgh

Dear President and Members:

I am vetoing Bill No. 784, which is a resolution granting the University of Pittsburgh a license to construct telephone and electrical conduits on the City's right-of-way.

This legislation was submitted in error by the Department of Public Works. The attached letter from Director Gaetano explains the situation in more detail.

Very truly yours,

Sohpie Masloff
Mayor

June 13, 1990

Honorable Sophie Masloff, Mayor
City of Pittsburgh

Dear Mayor Masloff:

Recently City Council approved Resolution No. 784 granting the University of Pittsburgh the privilege and license to construct, maintain and use telephone and electrical conduits in a portion of the right-of-way of South Dithridge Street and Henry Street in the 4th Ward, 8th District of the City of Pittsburgh.

Since this legislation combines the request for approval for both electrical and telephone conduit installation in one Resolution, it conflicts with the procedure mandated by Chapter 427 of the Pittsburgh Code.

Therefore, we recommend that this legislation be vetoed for the following reasons:

First, Chapter 427 of the Pittsburgh Code mandates the procedure for obtaining a license for the installation of telephone conduits in City right-of-way for private communica-

tions systems. The University of Pittsburgh is currently working with the Bureau of Cable Communications to obtain the required license.

Second, appropriate legislation will be submitted to City Council for its consideration and approval granting the University of Pittsburgh the right to install and maintain electrical conduits in City right-of-way, where necessary.

Very truly yours,

Louis R. Gaetano, Director
Department of Public Works

(END OF VETO LETTER)

Mr. Ferlo moved to override the veto.

Michelle Madoff seconded the motion.

The Chair:

Obviously, everyone received the written notice that this legislation was submitted in error. The proper thing to do is to vote no on the override of the veto.

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES none

NOES 9

And a majority of the votes of Council not being in the affirmative, the veto was sustained.

The Chair presents

No. 882 Resolution appointing Randal G. Forrester, 5738 Pierce Street, Pittsburgh, Pennsylvania 15232-1718, to the Human Relations Commission for a term effective immediately and to expire July, 1994.

Which was read.

Mr. Milliones moved to approve the appointment.

Michelle Madoff seconded the motion.

Mr. Cohen:

Mr. President, I'd like to have my remarks brought forward with respect to Mr. Forrester.

(MR. COHEN'S REMARKS ON RANDY FORRESTER - WEDNESDAY, 6/13/90)

Mr. Cohen:

I have no questions for Mr. Forrester, only a comment. I don't need to have any questions for him, because I have known him for some time and have had the privilege of working with him.

I think that there is no better choice for the Human Relations Commission, that Randy has that package of qualities of being bright, dedicated and principled, and I know that you will work for justice for all minorities. I wish you the best of luck.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Forrester was approved.

Also,

No. 883 Resolution appointing The Reverend Roger A. Ferlo, 5700 Forbes Avenue, Pittsburgh, Pennsylvania 15217, to the Human Relations Commission for a term effective immediately and to expire July, 1994.

Which was read.

Mr. Milliones moved to approve the appointment.

Michelle Madoff seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the appointment of Reverend Ferlo was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 962

Report of the Committee on Finance for June 13, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 787

A Resolution entitled, "Resolution transferring the amount of \$15,000.00 from Code Account 1017 (101709), Miscellaneous Services, Office of the Mayor to Code Account 1103 (100305), Miscellaneous Services, Department of City Planning." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 839

A Resolution entitled, "Resolution providing for the issuance of a warrant to Donald Surrena for full and final settlement of claims concerning his employment discrimination charge, at a cost not to exceed \$3,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 840

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mellon Bank, Corporate Trust Administration, in the amount of \$17,107.32 in payment for paying agent fees in connection with various City of Pittsburgh General Obligation Bond issues, chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance."

Which was read.

Michelle Madoff:

On Bill No. 840, the \$17,000 payment for agent fees in connection with various City of Pittsburgh General Obligation Bonds, that \$17,000 should have been incorporated in the cost of doing bond business. It should not be levied against those people who are taxpayers and who have not bought these bonds. Those people who buy and receive interest should absorb that cost and I believe that is fact. And I believe in the future it will be corrected in that

there will be some provisal made when we issue bonds to see that if there's a time we go out for rebidding who will manage our bonds that those kinds of dollars will be absorbed. But I just cannot, in good conscience, vote for it.

Mr. Cohen:

Mr. President, on that same bill. I'm voting for it but I do think that in the future it should be incorporated into the formula used in determining which banks to invest the City's money in based on what banks invest in low and moderate income neighborhoods. We did have a discussion about that with the Finance Director on Wednesday and I think that is going to happen in the future. But I take this opportunity to encourage Director Hayllar to do that.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 841

A Resolution entitled, "Resolution transferring the sum of \$25,000.00 from Code Account 1064, (106401) Supplies and Materials, to Code Account 1067-9 (106799) Workers Compensation, Department of Finance."

Which was read.

Also,

Bill No. 842

A Resolution entitled, "Resolution transferring the sum of \$15,000.00 from Code Account 1060, Salaries, Regular Employees, to Code Account 1061-1, Premium Pay, Department of Finance."

Which was read.

Also,

Bill No. 868

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Neighborhood Legal Services for the purpose of providing legal advice and services to low and moderate income city residents and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millionses
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 963

Report of the Committee on Public Works for June 13, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 862

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Crawford-Roberts Project."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Millionses
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 964

Report of the Committee on Planning, Housing and Development for June 13, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 788

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Westside Community Development Corporation for professional services and administrative costs relative to the development of a Commercial Service Center in Broadhead Manor Public Housing, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1103 (100305), Miscellaneous Services, Department of City Planning." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Unfortunately, this will be probably the last opportunity to address this piece of legislation. This is the \$15,000 that is being allocated to the Westside Community Development.

Again, I'm tenacious, I don't give up. I'm hoping that people will change their vote.

Here is a community that was promised \$29,000 in operating costs and we're cutting it back to \$15,000 which is coming out of the Mayor's allocation of dollars and I thank her for that.

We have an obligation to come up with the additional \$14,000 because I know that members of this Council are looking to take money from the same code account, 46, that I'm trying to take the \$19,000 for. If you're going to vote for those bills coming out of 46, then I think you have an obligation to vote for this bill. You can't say that one need is greater than another.

I'd like to amend my bill to include an additional \$14,000 to come out of Code Account 46 so that the Westside Community Center, which has been hard hit and is trying to pull itself up by its bootstraps and needs these operating dollars, will be made available.

Mr. Ferlo seconded the motion.

The Chair:

The motion is illegal due to the fact that it is not in writing. This is final vote on the legislation.

Michelle Madoff:

I would like to challenge the Chair on the issue of not having it in writing. I think it has been discussed ad infinitum. I think everybody knows about it, adhering to the rule, and we have

waived that rule at other times.

My motion is just to challenge the Chair to allow this to come up today without a written presentation. If you vote, you're voting just to let me present it.

The Chair:

So your motion is to override the rule.

Is there a second?

Mr. Darkins seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins

Michelle Madoff

AYES 2

NOES 7

VOTING NO:

Mr. Cohen

Mr. Regan

Mr. Coyne

Mr. Ricciardi

Mr. Ferlo

Mr. Wagner

Mr. Milliones

(Pres't)

And there not being a majority of the votes of Council in the affirmative, the motion was defeated.

Michelle Madoff:

On the bill as it stands, somewhere,

somehow, we have to correct this grievous wrong that has been done to this community. And I would hope that next year at budget time we will make up for the error. It was strictly an accounting error. It was a misunderstanding where the dollars would come from, and I would hope that Council would search its hearts and minds and that, when we come to budget time, we will correct this grievous wrong.

Also,

Bill No. 837

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Citizens Corporation for the sale of Block 7B Lot 235 in the 21st Ward of the City of Pittsburgh (RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 838

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Citizens Corporation for the sale of Parcels 234 and 284 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (RESIDENTIAL REHABILITATION)."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 965

Report of the Committee on General Services for June 13, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 836

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the furnishing and delivery of a Trash Collector/Sweeper and a Gang Mower and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 966

Report of the Committee on Engineering and Construction for June 13, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 834

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Demolition of the Shadeland Avenue Bridge; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 835

A Resolution entitled, "Resolution further amending Resolution No. 1327, effective December 23, 1982, as amended by Resolution No. 820, effective November 13, 1986, as amended by Resolution No. 612, effective August 3, 1989, entitled, 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Engineering Services in connection with the Rehabilitation of a portion of Ft. Pitt Boulevard - Eastbound and the Rehabilitation of the Market Street Overpass; and providing for the payment of the cost thereof,' by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, by increasing the total project allocation by \$94,000.00 from \$432,000.00 to \$526,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 972 Resolution reappointing Moira Harrington, 519 Zulema Street, Pittsburgh, Pennsylvania 15213, as a City Magistrate for a term to expire January, 1993.

Which was read.

The Chair:

If I may, Moira Harrington filled an unexpired term as a City Magistrate and the majority of Council did not have the opportunity to interview her. Only four of the nine Councilmembers did.

If it is the will of anyone to question her, I would recommend that we bring her in front of Council.

Michelle Madoff:

It might be more appropriate to find out what kind of job she's been doing since I was one of the people that voted against her. I didn't vote against her because I felt she wasn't qualified, it's just that she was so new, had never served in any capacity that the job called for, and there were so many other women with years and years of experience who wanted the jobs or recommended other people.

I think it might be important for us to find out from someone what kind of a record she has and how she has done. I think that would really be more important at this time.

Mr. Regan:

I think she has done an outstanding job down there, Mr. Wagner.

Mr. Ferlo:

I move to have the candidate come before Council.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

We'll have her come in front of Council as soon as possible.

Mr. Cohen:

Mr. President, I had the misfortune of attending the Billy Joel concert at Star Lake Amphitheatre on Sunday night. I happen to like his music but, unfortunately, it was a concert-goers nightmare.

We waited in traffic for two hours on the way in to the Amphitheatre and for over two hours to get out. Even though we arrived an hour and a half before the concert began, we missed half of the concert, and over 1,000 people who went to see the concert didn't see it at all.

There were numerous problems over there, and I won't go into all of them, but there was a very poor traffic design. There is a single access road to the entire complex, one small entrance and exit for over 10,000 vehicles. The parking attendants were not well-trained and, frankly, the Washington County Police were not particularly helpful. In all, it was a very frustrating experience.

Apparently, it was better last night, but I think that for the owners of the Amphitheatre to ask people to come to their concert four hours in

advance is not a way to solve the problem.

I know that many big acts are going to Star Lake Amphitheatre rather than coming to the Civic Arena or to Three Rivers Stadium because Pittsburgh's amusement tax is as high as it is. I'm the first to say that the amusement tax needs to be lowered and I know many other Councilpeople agree. Probably all of them do. But, frankly, I would gladly pay a little extra to go to the Civic Arena or to Three Rivers Stadium knowing that they are efficient, well-run operations than to go to Star Lake and be stuck in traffic for two hours.

So, my message is, bring those acts back to Pittsburgh.

Mr. Ferlo:

On the same subject, Mr. Chairman. We keep beating the amusement tax to death. The reason why so many acts are being diverted to this theater in Washington County has very little to do with the amusement tax and everything to do with it being a non-union facility. In fact, the same promoters who operate the Arena have systematically, in a very calculated way, targeted acts for this non-union facility. That's really what the issue is all about, not the amusement tax.

If anybody is meeting this morning, it's probably all the politicians in Washington County trying to figure out how they're going to pay for all the additional services they provided with public safety forces and other back up. There is no road design to this place so, if they're going to build any infrastructural road or pay for any public safety services, they better start thinking about an amusement tax themselves. They have to start feeding some people down in Washington County who provided some services to people.

Mr. Cohen:

I just wanted to respond that I am not familiar with that problem but I would be happy to discuss it with the appropriate people.

My problem was that it was an extremely frustrating experience going out there. I know thousands of other people had that kind of experience and, if you went to the Civic Arena or to Three Rivers Stadium, you would not have that kind of frustrating experience.

The Chair:

I agree. And the ticket would be no more in cost and access would be from four directions rather than one. Thank you.

Mr. Ferlo:

Mr. Chairman, on a separate issue, very briefly. I'd like to ask Council, and I'll call on the Clerk, to conduct a post agenda on the recycling issue. It's been over a month since I believe we asked for an update report, unless the President has received information. I haven't.

I think most of us are completely in the dark on what has transpired over the last few months. We were led to believe that the consultant would issue a preliminary report, I believe by April of this year. If that did happen, we never saw it, or I never saw it.

I think it's time to have a formal post agenda following the regular order of business, not tomorrow but next week, giving Mary Beth Salley Rissuto and the other principles involved with the City's response to Act 101 to be invited. I would like to respectfully request that.

The Chair:

Mr. Perry, would you please set that post

agenda up? Thank you.

Michelle Madoff:

On two items. The first one was an editorial in the Pittsburgh Press addressing the Schenley Plaza Project. I believe I was the only descending vote abstaining. I would not vote for removing much of the green space just to have 72 parking spaces.

In reviewing the issue, and now we're running into problems, if you read the editorial and the story, in dollar overruns and not having the project done in time.

Perhaps we need to look a little closer when these things come before us in the future.

On another matter. I was not joshing about lighting the bridges with bulbs. It's being done in other cities now. It's done, I believe, in St. Louis, Philadelphia.

I have some information that just came across my FAX machine, I haven't had a chance to get it yet, from a company that has just contacted me to tell us that they have available a bulb that burns for 15 years. If we only burn it at night, it will burn for 30 years. It's an incandescent light and it cost \$8 for the bulb.

Now, I know that we have costs of wiring to install the bulbs, and the fixtures, but my understanding is that the cost for the one Smithfield Bridge on the one side is not all that expensive. There are 52 bulbs.

I don't believe, and I could be wrong, but I don't believe that we're going to run into a \$5 million wiring cost as proposed by Mary Kay Poppenberg to light the bridges with flood lights.

I made some statements that were ques-

tioned by my colleagues last time about the appearance and the dissention with reference to the lighting of the bridges with flood lights, that, indeed, it was too bright, and washed out the shore, probably too expensive. And I'm delighted to find out that Mary Kay Poppenberg agrees and the committee looking into it agrees that that, indeed, is the case. They are thinking of half the lighting, or less, if they go ahead with that procedure.

I've rethought my initial presentation of saying different lights for every bridge, and I'm thinking perhaps that would not be appropriate because it might be too carnival-like. Maybe we should just use the same kind of bulb that we have on the Smithfield Bridge and just light up our bridges so they become very visible and make the City even more attractive at night.

Well, the story went out on the wire on got picked up in several cities. I've had calls and letters from Philadelphia, from Alexandria. We've heard from a gentleman who represents Westinghouse retirees across the country and there seems to be a tremendous amount of support for lighting our bridges, even from out of town people who'd like to adopt a bulb.

I went out the other day, having received from the Russians, the Leningrad Mint, the coins, and I thought I ought to present those coins to the City Treasurer. I also thought that I should present the \$87 that I collected in 20 minutes on the street to light a bulb and was informed that we can't open a code account to light the bulbs because we don't own those bridges. So, I just want everybody to know that I'm not keeping the money. I have turned it over to the appropriate agencies and I have, presently, given it to Ben Hayllar for his good keeping.

I think it's an idea worth pursuing since we're talking about making the City more attractive to tourists and certainly lighting our bridges

would be one of those. I think it would not be all that costly and, again, I urge people to think about writing letters of support and I'll see that the appropriate people get them.

One of the concerns I have is that Mary Kay Poppenberg told me that what they're looking to do right now is to spend \$200,000 for a consultant, a lighting consultant, to tell them how to light the bridges from the perspective of the flood lights. I think that \$200,000 would go a long way to just putting bulbs up on our bridges. Let's not waste those dollars.

I just want to share that information with Councilmembers.

Mr. Ferlo:

On the first issue Michelle raised regarding the parking lot. I read with interest newspaper articles about that delay of the Schenley Plaza Parking Lot. In the other newspaper there was also an article about a gentleman who has operated a lot behind the URA's building on Ross Street for the last 15 years who apparently is losing the property. The URA is transferring the property to the Parking Authority and the Parking Authority supposedly is letting out a bid for the operation of that parking lot.

What interests me, though, was that the parking lot, Schenley Plaza Parking Lot, was

awarded to someone with a no-bid contract. Meanwhile, the Parking Authority Director said to the gentleman who wants to continue operating the parking lot that he has operated for the last 15 years, "Sorry, we have to bid it out."

Now, somewhere there's either a contradiction or somebody is being favored for something.

I'd like to ask, Mr. Chairman, respectfully, that we communicate to Mr. Young of the Parking Authority and ask him exactly what are the particulars regarding the bidding procedures for handing over these public properties for the operation of the parking lot. And specifically, why is one being bid out when you have a gentleman who has operated for 15 years and would like to continue it, and the Schenley Plaza Parking Lot was given out a no-bid award. I'd like answers to those questions.

Mr. Cohen moved to approve the Minutes of Tuesday, June 12, 1990.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, June 26, 1990

No. 26

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, June 26, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. FERLO

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presents

No. 1015 WHEREAS, the 1990-91 fiscal year budget of the Commonwealth of Pennsylvania is to be approved by July 1, 1990; and

WHEREAS, the possibility exists that cuts required in the Governor's Budget could come at the expense of vitally needed economic development and community development funds vital to the City of Pittsburgh; and

WHEREAS, programs such as the Industrial Communities Site Program, the Employee Ownership Assistance Program the MagLev Study, the Enterprise Zone Program, Community Housing and Development and several other important programs run the risk of being cut; and

WHEREAS, the Tri-State Conference on Steel, the Steel Valley Authority and the Working Group on Community Development are sponsoring Lobby Day in Harrisburg on Tuesday, June 26, 1990; and

WHEREAS, several representatives from these organizations have scheduled buses to leave for Harrisburg at 6:00 a.m. on Tuesday, June 26, 1990 from 27th and Carson Streets in the South Side.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pitts-

burgh does hereby support the efforts of the Tri-State Conference on Steel, the Steel Valley Authority and the Working Group on Community Development in maintaining funding to economic development and community development programs in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council expresses its support for funding of the following budget items: the Industrial Communities Site Program, the Employee Ownership Assistance Program, the MagLev Study, Mon Valley Revitalization, the Capital Loan Fund, the Machinery and Equipment Fund, the Community Housing Development, the Enterprise Zone Program, the Employment and Community Conservation Program, Business Infrastructure Development, the Pennsylvania Industrial Development Authority, the Community Economic Recovery Plan, and the Pennsylvania Economic Development Financing Authority.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne presents

No. 1016 WHEREAS, on Saturday, June 23, 1990, the residents of Hazelwood will host Hazelwood Pride Day, featuring a parade and festival at Burgwin Field; and

WHEREAS, over the past twenty years, the Hazelwood community has experienced many economic changes which affected the families and businesses of the community; and

WHEREAS, despite the hardships once placed on this community, in 1990 Hazelwood stands out as a viable neighborhood full of activity and blessed with citizens concerned for their

fellow human beings; and

WHEREAS, Hazelwood Pride Day has been set aside to honor and thank the many volunteers and citizens who have worked diligently to keep the Hazelwood community active and safe.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims Saturday, June 23, 1990 as Hazelwood Pride Day in the City of Pittsburgh and joins in celebration with the residents of the community.

Mr. Coyne moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 1017 WHEREAS, the Council of the City of Pittsburgh congratulates Warren Baugh for being selected to represent the Boy Scouts of America Northeast Region at the 1991 International Scout Jamboree in Seoul, Korea; and

WHEREAS, 13 year old Warren, a star scout with St. Bede's Troop 646, has been credited with saving a man's life; and

WHEREAS, on January 29, 1990, a speeding car crashed into the Baugh residence, trapping the driver inside; and

WHEREAS, Warren and his father used a garden hose to put out the flames engulfing the car's engine; and

WHEREAS, the engine flared up a second and third time but Warren bravely and without regard for his life continued to rescue the

driver from the burning car; and

WHEREAS, Warren received accommodations from the Wilkesburg Fire and Police Department and the Pennsylvania State Senate for his heroic efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in applauding Warren Baugh as a young man who reacted to a life threatening situation with thoughtfulness, clear thinking and the regard for another life.

Mr. Darkins moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Warren Baugh:

Thank you very much.

Mr. Darkins presents

No. 1018 WHEREAS, on June 28, 1990, the Allegheny Trails Council, the Boy Scouts of America and its Urban Scouting Committee will showcase the talents of dedicated youth and adult leaders from Pittsburgh's urban communities at Urban In Action "Superactivity" Day in Market Square from 11:00 a.m. to 2:00 p.m.; and

WHEREAS, Scout Troops and Cub Scouts will demonstrate knot-tying, outdoor survival skills, pitching, fencing and other scouting talents; and

WHEREAS, June 28th is a day that will reinforce scouting as an acceptable youth and family activity; and

WHEREAS, the Urban Scouting Com-

mittee is a branch of the Allegheny Trails Council organized to provide support and guidance to inner city youth at risk.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Allegheny County Trails Council and the Urban Scouting Committee for their commitment to serve urban youth by providing a forum that encourages productive activities and permits youth to develop positive attitudes; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh salutes the volunteers that dedicate their time and resources to encourage youth to develop high self esteem and to respect the rights of others; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh supports the Allegheny Trails Council on its endeavors to foster a positive and productive atmosphere for the youth of Allegheny County.

Mr. Darkins moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have today Mr. Larry C. Pickett who will respond to receiving this commendation.

Mr. Pickett:

On behalf of the Allegheny Trails Council, Boy Scouts of America, we bring greetings to the City Council. We are pleased to receive this proclamation and with every effort we will continue to produce young men such as Warren Baugh.

We thank you very much for the opportunity to display our skills throughout the urban community on the 28th of June. It is our pleasure to receive this proclamation.

Mr. Regan presents

No. 1019 WHEREAS, Helen D. and Clyde C. Madden were appointed to the Riverview Manor High Rise on April 18, 1983, which houses 99 apartments for Senior Citizens; and

WHEREAS, Mr. and Mrs. Madden have 3 children, two boys and one girl - Clyde Jr., David and Linda, and are the grandparents of 5 grandchildren; and

WHEREAS, Helen was born and raised on the North Side and Clyde was born in Erie, PA; and

WHEREAS, Helen and Clyde Madden belong to the United Presbyterian Church on California Avenue under Reverend Dutton; and

WHEREAS, Helen and Clyde assist in the House Resident Council and the North Side Common Ministries/Shelter and Food Bank; and

WHEREAS, Helen Clyde are also on the Planning Commission of St. John's Mercy Hospital.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and salutes Helen D. and Clyde C. Madden for their outstanding work and accomplishments with the Riverview Manor High Rise; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Monday, June 25, 1990 as "Helen and Clyde

Madden Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ricclardi presents

No. 1020 WHEREAS, today we are honoring the volunteers of Sidney Square for their lifelong contributions and service to our community; and

WHEREAS, every Sidney Square resident has enhanced the quality of life in our community by the example they have set in making our neighborhoods a better place to live; and

WHEREAS, every Sidney Square resident has had a positive influence on our younger generation and has fostered an environment that promotes learning at all levels.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes the residents of Sidney Square for their many contributions to our community.

Mr. Ricclardi moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Just for the sake of the public, all of these resolutions have been presented privately and they are simply formally being read into the Record.

The Chair presents

No. 1021 WHEREAS, the Allegheny Group of the Sierra Club is hosting fifteen Soviet visitors from the Donetsk Sputnik Organizations for two weeks from June 21, 1990 through July 7, 1990; and

WHEREAS, the Donetsk Sputnik Organization is dedicated to the enjoyment and preservation of the natural environment; and

WHEREAS, the Donetsk Sputnik visit is in reciprocation of a Sierra Club trip last year to the Ukraine where Pittsburghers were warmly welcomed and shown the spectacular beauty of the Carpathian Mountains; and

WHEREAS, while Donetsk Sputnik is here, they will share in Pittsburgh's commitment for a clean environment, a beautiful city, and the unique appreciation Pittsburghers have for the ethnic heritages that make Pittsburgh wonderful.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, do hereby welcome the visitors from the Donetsk Sputnik Organization and extend best wishes for a wonderful stay in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council declares Tuesday, June 26, 1990 as "Pittsburgh - Soviet Environment Appreciation Day" in the City of Pittsburgh in recognition of our visitors from the Soviet Union.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 973 Resolution providing for the issuance of a warrant in favor of Rivers Abstract, Inc. in the amount of \$1,175.00 in payment of Title Reports on properties along Saw Mill Run Boulevard, payable from Code Account 4-13-66-1450-88, Index Code #321059.

Which was read and referred to the Committee on Finance.

Also,

No. 974 Resolution amending Res. No. 705, eff. Aug. 29, 1988, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting in Various Neighborhoods and Business Districts, and the Landscaping of the Martin Luther King Reading Room; and providing for the payment of the costs thereof," by decreasing the total project allocation by \$304.00 from \$110,000.00 to \$109,696.00.

Also,

No. 975 Resolution amending Res. No. 669, eff. Aug. 25, 1987, entitled, "Providing for a Contract or Contracts, or use of existing Contracts for the Fall 1987 - 1988 Street Tree Planting Program in Various Community Development Neighborhoods; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$126.00 from \$50,000.00 to \$49,874.00, chargeable to and payable from Code Account CDEC 87-32.

Also,

No. 976 Resolution amending Res. No. 435, eff. May 7, 1985, entitled, "Providing for a Contract or Contracts, or use of existing

Contracts, for the furnishing and installation of two (2) fitness courses, one able-bodied and one wheelchair sports, for disabled persons; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$10,595.00 from \$15,000.00 to \$4,405.00, chargeable to and payable from Code Account 4-13-95-0002-84-39-84-13, Index Code #433888.

Also,

No. 977 Resolution amending Res. No. 706, eff. Aug. 19, 1986, entitled, "Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Boundary Street; and providing for the payment of the cost thereof," by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation. Cost not to exceed \$25,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 978 Resolution amending Res. No. 707, eff. Aug. 19, 1986, entitled, "Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Panther Hollow; and providing for the payment of the cost thereof," by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation. Cost not to exceed \$25,000.00, chargeable to and payable from Code Account EC 86-10.

Also,

No. 979 Resolution further amending

Res. No. 1095, eff. Nov. 12, 1981, as amended by Res. No. 835, eff. Oct. 10, 1984, entitled, "Providing for a Contract or Contracts for Concrete Step Construction and Reconstruction - various locations, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$8,517.96 from \$450,000.00 to \$441,482.04.

Also,

No. 980 Resolution amending Res. No. 806, eff. Oct. 4, 1984, entitled, "Providing for an Agreement or Agreements with the Pittsburgh Center for the Arts to implement the design of modification to the Center's facilities for the removal of architectural barriers for the handicapped; and providing for the payment of the costs thereof," by decreasing the total project allocation by \$3,469.17 from \$20,000.00 to \$16,530.83, chargeable to and payable from Code Account 4-13-95-0002-84-13, Index Code #433888.

Also,

No. 981 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Various Repairs to the Grandview Overlooks at a cost range of \$10,000.00 or more, but less than \$20,000.00, chargeable to and payable from Code Account 3-13-60-0025-90, Index Code #814400 "1989 Project Fund."

Also,

No. 982 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the N.B.I.S. Update Bridge Safety Inspection of the Fort Pitt Boulevard and Market Street Bridges; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of

Transportation, at a cost range of \$25,000.00 or more, but less than \$50,000.00, chargeable to and payable from Code Account 3-13-05-0001-90, Index Code #813303.

Also,

No. 983 Resolution Repealing Res. No. 681, eff. Aug. 25, 1983, entitled, "Providing for the acceptance by the City of Pittsburgh from the Lhormer Real Estate Agency, Inc., of certain property, Block and Lot 114-H-365, in the 27th Ward of the City of Pittsburgh adjacent to Brighton Heights Park, at no cost to the City of Pittsburgh. Cost of title examination, recording of deed(s) and all other proper closing costs not to exceed \$750.00, chargeable to and payable from Code Account PR 80-05.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 984 Resolution amending Res. No. 28 eff. Feb. 4, 1986, entitled, "Providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase, installation and programming of a barcode system for the City of Pittsburgh, Dept. of General Services Warehouse, and providing for the payment of the cost thereof," by adding the following, Agreement or Agreements or for use of existing Agreements. Cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1128, Misc. Services - \$7,000.00 and Code Account 1132, Equipment - \$18,000.00.

Also,

No. 985 Resolution providing for the letting of Contracts and use of existing Contracts for the materials, general supplies, and equipment and machinery whose estimated

cost will be in excess of \$10,000.00, as required by the several departments of the City of Pittsburgh, during the calendar year 1991, chargeable to and payable from the appropriations made to the Dept. of General Services, or to the various departments, for the purchase of such materials, supplies and equipment as may be required and authorized by the respective appropriation ordinances.

Also,

No. 986 Resolution providing for the letting, during the calendar year 1991, of Contracts and for the use of existing Contracts, for the maintenance, rental, rehabilitation, renovation, inspection, or servicing of personal property, bonding, insurance, printing and other related services and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh. The City shall have the right to terminate Contracts as of December 31, 1990 in the event funds are not appropriated for the continuation of said Contracts in any succeeding calendar year. The costs thereof shall be and are hereby made payable from funds appropriated therefore to the various departments of the City of Pittsburgh.

Also,

No. 987 Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements, or for the use of existing Contract(s) or Agreement(s) for the purchase of portable and mobile two-way radio communication equipment for the Pittsburgh Zoo, Department of Parks and Recreation, at a cost not to exceed \$24,000.00, chargeable to and payable from Code Account 1132-5, Radio Improvements, Department of General

Services.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 988 Resolution vacating Calera Street, from Baldwin Road southwardly 203.25' to a point by 40' feet; also reserving the 33" inch sanitary sewer line in the 31st Ward, Voting District #5, of the City of Pittsburgh. The petitioner, Richard Grieser, 558 Calera Street, Pgh., PA 15207 has requested this vacation for side yard convenience.

Also,

No. 989 Resolution granting unto David Sell of 3712 Orpwood Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a sanitary sewer on a portion of the right-of-way on Frazier Street and Booth Street in the 4th Ward, 3rd District of the City of Pittsburgh. The request is made by Mr. Sell that the construction of his house requires that he run his lateral to the nearest sewer.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 990 Resolution further amending Res. No. 1061, eff. Dec. 31, 1989, as amended, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by changing two Controller numbers and adjusting the funds for the Arlington Avenue reconstruction project. These changes are necessary because of clerical errors made in producing the capital

budget.

Also,

No. 991 Resolution providing for the execution of a Cooperation Agreement or Agreements with the URA of Pgh. for economic development marketing and promotion services, at a cost not to exceed \$10,000.00, chargeable to and payable from Marketing/Promotion of City Services/Programs.

Also,

No. 992 Resolution authorizing the URA of Pgh. to acquire that property in the 16th Ward of the City of Pgh. owned by Albert LaMolinare, and designated as Block and Lot 13F-160 (2115 Salisbury Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. The property is being acquired for resale to a redeveloper for sideyard use. The property contains approx. 2,200 sq. ft. (COUNCIL DISTRICT #3).

Also,

No. 993 Resolution authorizing the URA of Pgh. to condemn and acquire all the City's right, title and interest, if any, in and to the publicly-owned property in the 4th Ward of the City of Pgh., designated as Block and Lot 29H-46 (3765-67 Frazier Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. This property is being

acquired to complete a site for construction of a new home. David M. Sell and Sandra A. Sell, will be the developers. The property contains approx. 4,800 sq. ft. (COUNCIL DISTRICT #3).

Also,

No. 994 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and David M. Sell and Sandra A. Sell for the sale of Block 29H Lot 46 (3765-67 Frazier Street), for the sum of \$300.00, in the 4th Ward of the City of Pittsburgh. The lot contains approx. 4,800 sq. ft. The redeveloper's current address is 3712 Orpwood Street, Pgh. 15213. The redeveloper owns the adjacent land and will use this lot to complete a site for the construction of a single family house. (COUNCIL DISTRICT #3).

Also,

No. 995 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and John R. Dixon and Laverne L. Dixon for the sale of Block 13F Lot 160 (2115 Salisbury Street), for the sum of \$250.00, in the 16th Ward of the City of Pittsburgh. The property contains approx. 2,200 sq. ft. The redeveloper's address is 2115 Salisbury Street. The redeveloper plans to use this property as a sideyard. (COUNCIL DISTRICT #3).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 996 Resolution providing for the issuance of a warrant in favor of John P. Place, Inc., 90 Clairton Boulevard, P.O. Box 10926, Pgh., PA 15236 in the amount of \$2,000.00 in

payment for services furnished for the benefit of the City in connection with the emergency repair of Pump #3 at New Highland Pumping Station, chargeable to and payable from Code Account 1974 (197400), Repairs, Purification and Pumping Division, Department of Water.

Also,

No. 997 Resolution providing for the issuance of a warrant or warrants in the amount of \$159,161.04 to Calgon Carbon Corporation, Tom McConomy, President, for the emergency purchase of powdered activated carbon to treat river water during the recent oil spill on the Allegheny River, chargeable to and payable from Code Account 1978, Chemicals, Department of Water. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Mr. Millones presented

No. 998 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pa. for a grant in connection with Joint Jobs Initiative Program Transitionally Needy Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Transitionally Needy Project; providing for subcontractor agreements and providing for required assurances, at a cost not to exceed \$160,000.00, chargeable to and payable from the JTPA 1 Trust Fund.

Also,

No. 999 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pa. for a grant in connection with the Joint Initiatives Program

Single Point of Contact Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Initiatives Program Single Point of Contact Project; and providing for required assurances, at a cost not to exceed \$1,900,000.00, chargeable to and payable from the JTPA 1 Trust Fund.

Also,

No. 1000 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA); providing for the execution of a Grant Contract and for filing of requisitions and other data; approving EDWAAA; providing for subcontractor agreements and providing for required assurances, at a cost not to exceed \$125,000.00, chargeable to and payable from the JTPA 3 Trust Fund.

Also,

No. 1001 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Incentive Grant by the Job Training Partnership Act Program, at a cost not to exceed \$41,000.00, chargeable to and payable from the various JTPA Trust Funds.

Also,

No. 1002 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program, at a cost not to exceed \$195,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 1003 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program, at a cost not to exceed \$680,000.00, chargeable to and payable from the various JTPA Trust Funds.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1004 Resolution providing for the issuance of a \$2,000.00 warrant in favor of Navaughn Terry and Zach Winston in settlement of claim for a vehicle sold in error at the City Auto Pound, payable from Code Account No. 46, Judgments.

Also,

No. 1005 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with arbitrage rebate calculation for the City of Pittsburgh's General Obligation Bond issues at an annual cost not to exceed \$5,000.00, subject to annual budget appropriations, chargeable to and payable from Code Account 1063, Misc. Services, Department of Finance.

Also,

No. 1006 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1007 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, and providing for the forfeiture of hand money.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1008 Resolution transferring the amount of \$2,500.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 1009 Resolution providing for an Agreement or Agreements with the Federation of War Veterans' Societies, for the Veterans Day Parade, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838, Misc. Services, Department of Parks and Recreation. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee

on Parks and Recreation.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 1010 Communication from Richard Cosentino, Executive Director of the Pittsburgh Water and Sewer Authority, submitting the Pittsburgh Water and Sewer Authority Financial Statements for the years ended December 31, 1989 and 1988.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 972 Resolution reappointing Moira Harrington, 519 Zulema Street, Pittsburgh, Pennsylvania 15213, as a City Magistrate for a term to expire January, 1993.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Moira Harrington was approved.

Michelle Madoff:

Mr. Wagner, we just had a bill submitted by myself on the \$179,000, I believe, for activated carbon during the last spill and I think it would be appropriate to require that somebody from the Water and Sewer Authority, not just somebody from the Water Department, be here to address reimbursement.

We're talking about that just for the material. We're not even talking about the labor. We're talking probably about a half million dollars here and I think it would be incumbent on somebody to be here to address that from the Water Department.

Would you make that in the form of a request, Mr. Perry?

The Chair:

Mr. Perry will make sure that happens.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1011

Report of the Committee on Finance for June 20, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 858

A Resolution entitled, "Resolution attached is a proposed Resolution providing for the issuance of a warrant in favor of Surv-Kap in the amount of \$4,999.95 for the purchase of survey monuments to be used to replace lost or destroyed monuments and to set new monuments in all construction sites; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 869

A Resolution entitled, "Resolution transferring the aggregate sum of \$5,000 (Five Thousand Dollars) from Code Account 1106-9 (110692), Workers Compensation, Department of City Planning (\$2,500) and Code Account 1082-9 (108290), Workers Compensation, Department of Law (\$2,500) to Code Account 47-1 (004713), Union Bonuses, Department of Finance."

Which was read.

Also,

Bill No. 870

A Resolution entitled, "Resolution transferring the aggregate sum of \$25,000.00 from various code accounts to Code Account 43-1 (004317) Refunds-Fines, Etc. Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 872

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of June, 1990." --- (SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 892

A Resolution entitled, "Resolution establishing a special trust fund to be designated as the Emergency Flood Relief and Water Damage Trust Fund (EFRWD), for the deposit of cash, contributions, and grants from Private Citizens, Businesses, Governmental Agencies, and other source, and authorizing the use of the funds deposited therein to provide financial assistance to City residents for the repair or replacement of furnaces, heating systems, electrical units, plumbing, sewage and other fundamental systems which sustain flood damage." ---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Milliones:

On Bill 892 regarding the water damage and emergency flood relief program, it seems to me that it might be appropriate to move that this bill be held for a week or two given Mr. Hayllar's memo, and I presume every Councilperson has the memo from Mr. Hayllar stating that there are such trust funds or similar trust funds set up with URA and that that seemed his recommendation, that that's the place that we ought to explore that.

I mention that because of the absence of Mr. Ferlo, the sponsor of the bill. So, I move to recommit until we can have the sponsor of the bill here.

Michelle Madoff seconded the motion.

Mr. Coyne:

Mr. Milliones, have you spoken to Mr. Ferlo about this?

Mr. Milliones:

No, I haven't.

Mr. Coyne:

Well then I feel that since this is Mr. Ferlo's bill, that we would be acting inappropriately to hold it without him being present.

I understand the concern that Councilman Milliones has; however, if Mr. Ferlo hasn't agreed to this and it is his introduction, I feel Council would be acting inappropriately by holding it up without him being here.

Mr. Milliones:

I would certainly defer to Mr. Ferlo. I simply felt that simply because we had more information from Mr. Hayllar, from whom we requested to have more information, that information is here and it seems that in his absence we ought to wait until we see how he feels about it.

Mr. Coyne:

I understand you point; I just don't think it's a proper procedure.

The Chair:

There's a motion on the floor and a second. I believe Mr. Milliones is making the motion for the sake of Mr. Ferlo.

Michelle Madoff:

On the motion. No one is suggesting that we bury the issue. I don't think that's Mr. Milliones' intention. He's merely saying out of courtesy to a colleague who isn't here, since new information just arrived and it implies that this situation belongs within the URA, and I would

have some concerns about that considering what happened to my Westgate money that was switched over to URA, that I'd just want to wait until Mr. Ferlo comes back, reviews the memo that we received from Mr. Hayllar, and then proceed accordingly.

I understand that this is strictly a vehicle to establish a line item. It doesn't appropriate the dollars. I do understand that. But I think it would not make one iota of difference to wait one week. We're not holding up money because there's no money in the issue.

Mr. Coyne:

Mr. Chairman, for the Councilwoman's edification, the issue isn't whether this creates money or puts money aside for a certain project. The issue is that Mr. Milliones has a suggestion, and I'm not saying whether it's a good suggestion or a bad suggestion. But his suggestion of holding this bill -- He has not talked to Mr. Ferlo about it.

So, what you are doing is, you're saying that if you introduce a bill and you aren't present at this Tuesday meeting, that any Councilman is able to hold back your bill without consulting you.

So, just be aware that if you introduce a bill and you aren't here at the beginning of a meeting or aren't here for a certain portion of a meeting, that another Councilman can act in your Committee and hold it back. I don't think that's proper.

I think that if Mr. Ferlo had any indication that he wanted this bill held, he would have submitted it to one of us to speak in his place, and I don't think he has done so.

Mr. Milliones:

Let me make it clear that that's not the intent.

Mr. Coyne:

I know that. Not now, it's not. But in the future it could set a precedent.

Mr. Milliones:

I want to make that clear. And I can't talk to Mr. Ferlo because Mr. Ferlo is not here.

Mr. Coyne:

I understand, but in the future it could set a precedent.

Mr. Regan:

I think the little fire, Mr. Ferlo, had a medical problem last Friday and I agree with Mr. Milliones. He's only doing what he thinks is in the best interest of one of his colleagues, especially a man that had a medical problem.

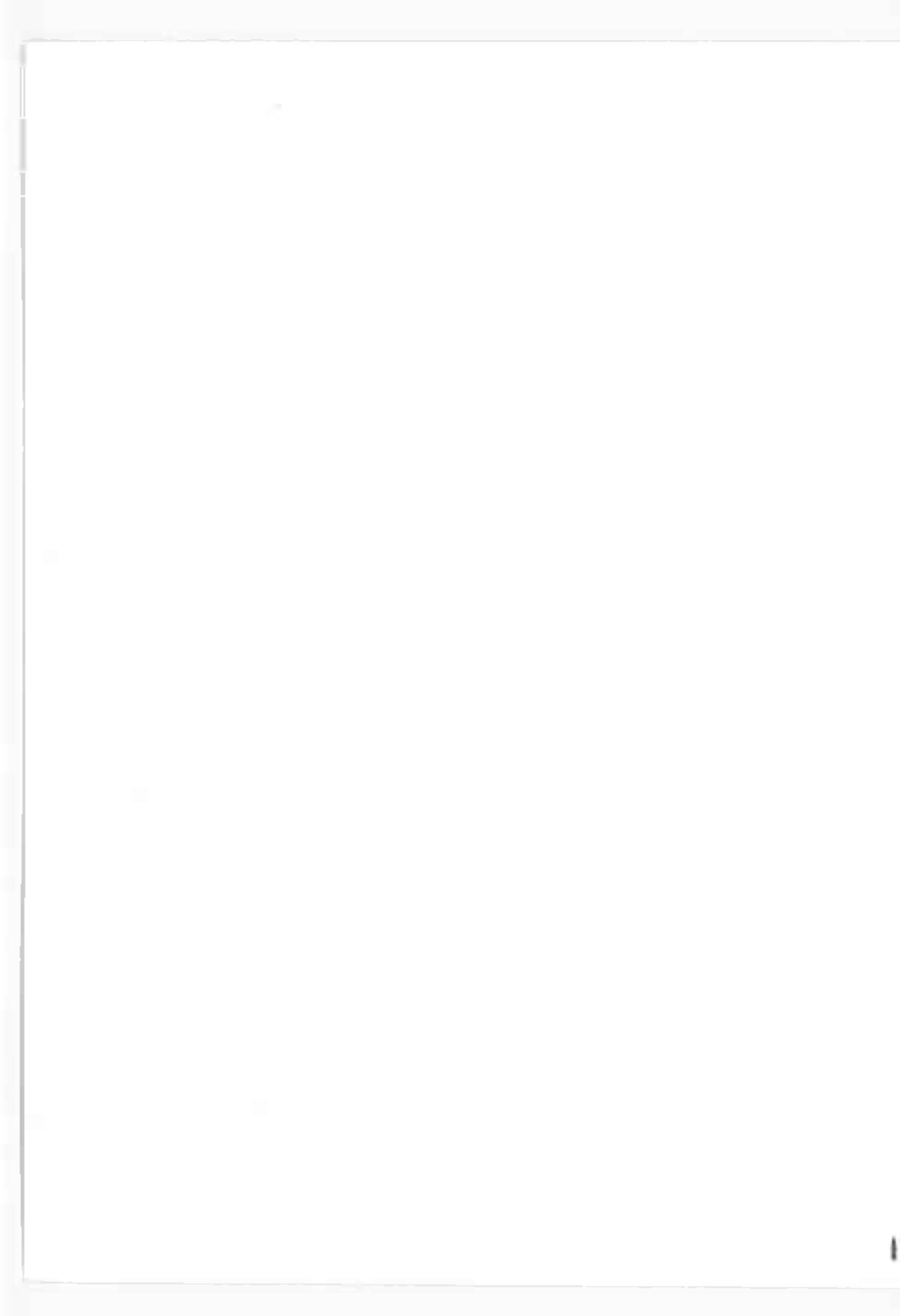
The Chair:

I agree.

Michelle Madoff:

I would like to respond, if I may, to Mr. Coyne. If I were not present for a piece of legislation, I would call one of my colleagues and say, "I am unable to attend. Would you please ask to hold the bill." Or I would call and say, "Would you please present the bill for me?" And since he didn't do either, I think out of courtesy we ought to hold it a week.

This is not an anti-Mr. Ferlo or anti-position on the bill. It is merely a courtesy to hold.



The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

They ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5

NOES 3

VOTING NO:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

Also,

Bill No. 958

A Resolution entitled, "Resolution transferring the amount of \$45,000.00 from Code Account 1005-3 (100537), Printing Pittsburgh Code, City Clerk, to Code Account 1001-1 (100115), Miscellaneous Services, City Council."
---(SPONSORED BY MR. WAGNER)

Which was read.

Mr. Ricciardi:

Mr. President, on Bill No. 958 transfer-

ring \$45,000, I believe first it is important for us to know the history of this amount of money. From asking questions and doing some research, I was able to establish that this \$45,000 was placed, was allocated in the budget by the previous Council for district offices. Obviously, the previous Council believed under this type of representation by district in order to more effectively represent our constituents, we might be in need of district offices or maybe some concept of district offices.

I, along with other colleagues, believed that district offices would not be a good thing for the City of Pittsburgh because of escalating prices, the cost of district offices, both in terms of lease arrangements, rents, staffing, and possibly even supplies.

But I believe the concept of the \$45,000, the allocation of the money, was in blocks of nine. And that is the way I believe the previous City Council looked at this. Nine blocks of \$5,000 in order to more effectively represent our district under the new representation.

There's a general feeling, or some feeling among a few of our colleagues, that this money should be put back, given back to the Administration for the general fund. However, that does not mean that the money will not be spent. That means that we will lose control of \$45,000 and give that control to the Administration.

Also, the veteran colleagues, such as Michelle Madoff who could probably explain this a little better, that the \$45,000 was saved by City Council by not filling a position on Council.

It is my feeling that we should be accountable to our constituents and how this money is to be used. Tomorrow I'll hopefully explain how I would like to use my block of \$5,000, something that I put in last week estab-

lishing a property tax reduction trust fund, and also allocating money into that.

There's been much talk now about lowering the amusement tax, a tax which is paid by 85 percent of suburbanites. The Pennsylvania Economy Leagues shows that by lowering the amusement tax the benefit the City could receive. But I also believe that we had a study that showed lowering the property tax, what that would be able to show.

Again, I would just like to say, because Councilman Ferlo is not here, as Councilman Ferlo said last week discussing this bill to several of our colleagues, not to grandstand on the issue. It's very easy to grandstand on this issue and say that we have to be very careful not to spend and how we spend the money. Well, I've been here six months and I don't see too many people questioning on how the Administration has been spending huge amounts of money in the millions of dollars. As a matter of fact, I compliment Michelle Madoff, one of the few of our colleagues who has addressed that issue through the "not to exceed" issue.

So, again, I believe this transfer is right. I believe the general feeling of the last Council, the previous Council was that this money would be used in order to have us more effectively represent our districts, and I will be voting in the affirmative.

Mr. Cohen:

Mr. President, I made my comments on this bill last Wednesday and I don't think they need repetition today. I'd like those comments brought forward.

(BEGINNING - MR. COHEN'S REMARKS ON BILL NO. 958 - WEDNESDAY, 6/20/90)

Mr. Cohen:

Discussion. Mr. Chairman, as I have told many of you, I don't think that this is a proper way to spend taxpayers' money. I don't question the validity of many of the projects that my colleagues will spend this money on, but my concern is that each allotment of money will be used at the discretion of a single Councilperson to his or her favorite groups with essentially no supervision or accountability. My view is that we already fought this battle on virtually the same bill and that the people of Pittsburgh really did express their views on this issue. So, personally, I'm voting no and if it does pass, I'm going to return my allotment to the City's General Fund.

(END OF REMARKS)

(Prepared by: Mary Anne Hruska, Stenotype Reporter)

Michelle Madoff:

Thank you for the compliments, Mr. Ricciardi, but don't claim that you're giving us history because I'm the historian. And the history is that this Council has always, always, since almost the day I was here, and Mr. Perry will tell you that every year there are monies allocated to Council like there is to the Administration, that at the end of the year I moved around.

And the monies that were allocated this year, the dollars that were put aside through savings, and if you'll help me, Mr. Wagner, that money was by deleting several jobs. Three jobs were deleted. We are working with three jobs less than we normally had at a savings of how much?

The Chair:

Approximately \$100,000.

Michelle Madoff:

A savings of \$100,000. Somehow or other, that doesn't hit the media. The \$100,000 that Council cut out of the expenditures is now being offset by the \$45,000 allocation to members of Council that has happened every single year.

We've had the money that was allocated to Sophie Masloff should she decide not to run for Mayor divided up two years in a row. There's money from consulting fees that have been divided up.

Every year every Councilmember counted on somewhere between, if memory serves me well, \$7,000 and \$11,000 that went back to Council to help them run their offices, to be of better service to the community by virtue of having more staff.

But we get taken over the coals and made to look like these heinous people because of something that has happened but it's so easy to relate to a small amount, not to relate to the hundreds of millions of dollars that have been wasted because, as Mr. Ricciardi has graciously pointed out, a system that said, "We have all this money to give away, not to exceed \$3 million." So, all the contracts came in at \$2,999,000. It was bizarre. We forget about millions but its so easy to zero in on \$5,000.

I never supported district offices for very selfish, very chauvinistic reasons. I have at least 15 individual areas within my district. I have a very unique district. Where would I set up an office in District 2? It wasn't viable.

But I felt, and Mr. Wagner will substan-

tiate and he was Treasurer at the time, that it was unfair to discriminate against any Member of Council because they weren't going to open a district office, and I had suggested at that time that the money be divided equally.

Frankly, I was prepared to forego the money. I felt that we were going to lose that money through the Administration's actions. As it turned out, the Administration --

Mr. Coyne:

Councilwoman, we've already heard your rhetoric. Speak to the cameras, please.

Michelle Madoff:

I'm not speaking to the cameras. I'm trying to get the attention of Mr. --

The Chair:

Mr. Coyne, Councilwoman Madoff has the floor.

Mr. Coyne:

Mr. Chairman, in the future, when other Councilmembers are speaking, I would appreciate it if you would enforce the same rule for Councilwoman Madoff. She constantly speaks when other Councilmembers have the floor. Councilman Darkins and I are having a private conversation, not interrupting anyone, so if you're going to enforce that rule now, I would suggest you enforce it to Councilwoman Madoff in the future.

Michelle Madoff:

Mr. Coyne, I was trying to get Mr. Darkins' attention because I wanted to make a point to him. I'm sorry if I interrupted your private conversation.

The Chair:

Mr. Coyne, you are not chairing this meeting and I would ask you not to speak while another Councilmember is speaking.

Mr. Coyne:

Thank you, sir.

Michelle Madoff:

I think I have a pretty good relationship with my colleagues, all of you, including you, Mr. Coyne, and I was trying to get Mr. Darkins' attention.

Mr. Regan:

I second your motion, Mr. Coyne.

The Chair:

Mr. Regan, you're out of order too.

Mr. Regan:

I understand that.

The Chair:

Councilwoman Madoff, you have the floor. If you want to speak, speak, or you will relinquish the floor.

Michelle Madoff:

The point I'm making is that of the \$5,000 that I thought we were going to lose, I thought the Administration was going to make a point, and if that was the case I was going to live with it.

It turns out that the Administration did

not veto the dollars but did, indeed, veto the idea of having district offices because the Administration felt, it's not my position, the Administration felt that the offices would expand by leaps and bounds by needing more. You couldn't get a place for \$5,000. You couldn't get telephones. You couldn't pay the rent, and it would become another expenditure. That was the Administration's position and I figured I had lost my \$5,000 for my office.

And frankly, from a purely pragmatic point of view, and I think we see a lot of pragmatism here, everybody jumping on everybody. I endorse Mr. Coyne. We'll take on Michelle today. I wish that we would have ended that with the last Administration.

Mr. Regan:

I love you, Michelle.

Michelle Madoff:

Then act it. Don't tell me you love me and don't be pandering to feminism and then not vote for the female issue. Don't love me, just vote the right way.

Now, the issue here on the bill is that I have an opportunity to correct a grievous wrong. I consider this a windfall, that Michelle Madoff is going to have a windfall of \$5,000 because a promise is a promise is a promise. A commitment is a commitment is a commitment. Our word is our word is our word. And we didn't live up to it. We didn't give the full monies to Westgate. And I'm going to use my \$5,000 to help out Westgate. I'm glad I have this windfall. Thank you.

Mr. Regan:

I'll give you \$1,000 of mine, Michelle.

Michelle Madoff:

And I'll take it.

Mr. Regan:

You got it.

The Chair:

I'd like to make a comment on Bill 958, for the \$45,000. Because I introduced the bill, I'm probably going to get beat up on it publicly in the media. If so, so be it.

I feel it's the right thing to do for this Council mainly because the majority of Councilmembers have requested from the start that this money be allocated originally for district offices. It was Mr. Cohen that came and personally asked me to introduce a bill for district offices, for the \$45,000, which I did.

The bill was beat and defeated and I accepted that and so did every Member of Council. There will not be any district offices.

There have been several projects that Councilmembers have brought to the attention of myself and Councilman Millions as Finance Chairman where monies are needed. Councilwoman Madoff has come up with two already this year; the Commission on Women and also Westgate. Two worthy projects for funding.

Councilman Ricciardi for the property tax reduction program, to initiate the program, to show the people in state government that the City of Pittsburgh will take a lead position on the issue by putting some monies into a fund for a very worthwhile purpose for senior citizens. And I commend Councilman Ricciardi for initiating that with a small amount of money, \$5,000.

Other Councilmembers, Councilman Ferlo, on Emergency Relief Fund. A small amount of money and asking other levels of government to contribute to emergency relief fund. He wants to take a small amount of money and put it in to it.

All of you have probably seen that today I introduced a bill for \$2,500 to fund the Veterans' Day Parade, something that Council missed in the budget in 1990.

I would also like to see another portion of the funds go to the marketing effort of the Airport and tying the City of Pittsburgh in to that.

Now, if the public is going to say that that is money misspent, so be it. All of those causes are very good and very appropriate to benefit the public and to benefit the City of Pittsburgh.

So, if anyone wants to say that this is a blank check, it is not a blank check. Each and every allocation has to come in the form of a bill in front of Council and must be voted on and must have five votes, just as the Veterans' Day Parade and Mr. Ricciardi on the property tax reduction. It is not a blank check. It is not like state government where they have WHAM money which is hundreds of thousands of dollars that they don't even vote on and does not come in to a public forum. This money all comes in the form of a piece of legislation.

There will probably be 10 or 12 pieces of legislation in regard to this \$45,000. There will be more public scrutiny on this \$45,000 than any piece of money in the \$320 million budget of the City of Pittsburgh. And I can tell you publicly that it will be well spent to good organizations and good causes.

Mr. Cohen:

Mr. President, it's because of that public scrutiny that I am voting the way I am. Since you referenced my name, I do feel a need to respond.

It is true that I initially supported district offices. I thought it would be a good service for the people. But when the people responded as loudly and clearly as they did in the form of thousands of letters and phone calls, I felt that we had a responsibility to respond. I feel that this is the same \$45,000 and the public has expressed their view on the \$45,000 and that we really don't have to spend this money, especially when the budget is so tight.

That's why I'm against it, precisely because the public has expressed their view on this and precisely because of that type of public scrutiny.

Mr. Darkins:

Mr. Chairman, I would like to be in support of you in regards to the news media beating up on you. I think we put you here and I've been beat up a lot since I've been here. So, the wounds will heal and we're still here to support you, Mr. President.

The Chair:

Thank you.

I just want everyone to know that this is not a blank check. As has been stated numerous times, this is formal legislation and all following allocations of monies will be formal legislation.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Michelle Madoff
Mr. Millions

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES 2

(MR. COHEN AND MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1012

Report of the Committee on Public Works for June 20, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 889

A Resolution entitled, "Resolution providing for an Agreement granting to Port Authority of Allegheny County the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by Port Authority of Allegheny County in the 19th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins for Mr. Ferlo presented

Bill No. 1013

Report of the Committee on Planning, Housing and Development for June 20, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 864

A Resolution entitled, "Resolution providing for the implementation of a Residential Parking Permit Program (RPPP) in the South Oakland community pursuant to Pittsburgh Code Chap-

ter 549, so as to expand the streets included in the existing South Oakland RPPP Area 'M'."

Which was read.

The Chair:

I would like my comments brought forward on this bill.

(BEGINNING - MR. WAGNER'S REMARKS ON BILL NO. 864 - WEDNESDAY, 6/20/90)

Mr. Wagner:

May I add something, Mr. Chairman? I would just like to put on public record that Council continually gets requests for extensions of permit parking in various neighborhoods. This is no consideration given to the enforcement of this permit parking, in that the personnel are not available for enforcement, even though we continue to expand. And some mechanism has to be brought forth to Council to address that issue, because, quite frankly, what is happening is various people, the numbers in enforcement are not increasing, and we are simply going through a procedure here of expansion of permit parking programs without additional personnel, and it all ties into the whole public safety effort in the metered areas, also. I certainly don't want to hold up any legislation of this type, but sooner or later Council has to have an extensive discussion on this issue.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 865

A Resolution entitled, "Resolution providing for the implementation of a Residential Parking

Permit Program (RPPP) Area 'R' in the Bloomfield community pursuant to Pittsburgh Code Chapter 549."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1014

Report of the Committee on Engineering and Construction for June 20, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 859

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by creating a new line item (New Public Safety Building - Design)."

Which was read.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 860

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for preschematic and site planning architectural services in connection with

the new Public Safety Building and the possible site; and providing for the payment thereof."

Which was read.

Mr. Cohen:

Mr. President, on these two bills involving the architectural consultant for the Jail and Public Safety Building, I think Director Sciulli and I and some of the others who were there last Wednesday had a good discussion on this bill.

I made the point that the architects should have been selected, in my view, through a more public process rather than a private process, along the lines, really, of a design field competition like, for example, they had for the Harold Washington Library in Chicago. The architect, I believe, should have been selected by a panel of experts, a panel of architects, rather than, in this case, a lawyer, an engineer and a budget officer.

Since that meeting, I expressed this concern to the Administration through Joe Mistick and expressed the view that in all future projects, major projects like this, the architect should be selected through a design field competition like that.

Having made that point to the Administration as to future projects, I think it's now time that we move on with this project so I will be voting yes on this bill.

Michelle Madoff:

I would like to reinforce the comments that were made by my colleague. I'm glad that we're not going to hold this bill up and we understand that the Administration's prerogative is to hire. And I might point out that the Oxford Building was indeed a competition for that site.

As you know, the Hillman's wanted to build a building and build it somewhere else and it was chosen by the Commissioners.

It would be a good idea to follow through on the concept put forward by Mr. Cohen that indeed we do meet very shortly with the Administration and get an update.

But I'm glad there has been a change of heart by the person, my colleague, who suggested that we hold on that bill and I think that we ought to get on with this as quickly as possible.

Mr. Regan:

I just would like to say that I agree with my very close, personal friend, Michelle Madoff, and that if anybody could see the deplorable conditions on Federal Street in the North Side and the courts over there, it's absolutely deplorable. I think it's long overdue and I think that we do need this and I am going to vote in the affirmative.

The Chair:

You're right, Mr. Regan. We must move forward on this project.

Let me stress, if you're in favor of this bill, you're voting aye, even though it's coming with a negative recommendation, to eliminate any confusion.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 861

A Resolution entitled, "Resolution amending Resolution No. 441, effective April 30, 1990, entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Replacement of the Shadeland Avenue Bridge; and providing for the payment of the cost thereof,' by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I have one short announcement. The public hearing at 2:00 is canceled at the request of the petitioners.

Mr. Coyne:

Mr. Chairman, I believe myself and other Members of Council are in receipt of a letter from Pat McNamara who is the President of the F.O.P. concerning the rehabilitation of the No. 5 Police Station.

I would like to have a letter go to the Department of Engineering and Construction to give Council an update, not only on that construction but on the construction on the No. 6 Station up in Squirrel Hill on Northumberland Street. Councilwoman Madoff spoke to me concerning this issue.

The conditions that the police officers have to put up with are deplorable and I think the City needs to get on the ball and get the work accomplished and if there are some holdups, to inform Council why there are holdups at No. 5 and why the work isn't starting at No. 6.

So, that's a motion that a letter go to Director Sciulli for a full report to Council as to what's holding up the work.

Mr. Darkins seconded the motion.

Michelle Madoff:

With all due respect, I believe I spoke not only to Mr. Coyne but I also spoke to Mr. Cohen. That police and fire station covers both their districts and I felt out of courtesy that I ought to speak to them.

The day of the episode of the bus that was spewing fumes, I went into the station and thought that because of legislation previously enacted by this Council that they had already put their house in order, that that place was inhabitable for human beings. It is not. It's a pigsty. The situation those people have to work in is a disgrace. They are under the impression, they meaning the police officers who work in that No. 6 Station, that there are some bizarre reasons as to why they're not in it because some other stations that are being rehabbed where they'd have to move out, so in the transfer of -- They'd have to move out in order to work on the Station, but some bizarre things have happened, that the work was done, it was not signed off for, and I want to know why.

Rather than having, with all due respect to my colleagues, just a report from Construction and Engineering, I think it's imperative that the people know, that the police officers know. I'd like to make that in the request of having a post agenda. Would my colleagues agree to that since both of you are more involved than I am?

The Chair:

If I could just add, I would ask that we have a response in a letter in a week and based on the response determine whether or not a post agenda is necessary.

Michelle Madoff:

With all due respect, my motion is to have a post agenda because I have heard what the problems are. I've already been told what they are and I'm sure that my colleagues will get the same information that I have. I don't find it acceptable and therefore I would like to have a post agenda so we get it out in the public, that it's not dialogue between myself or three Members of Council, or that we get a letter back saying, "Oh, we're doing this; we're about to sign off on it." I've been hearing that for a long time.

Jack, you voted for it with me and nothing has happened. I think we owe this to the police officers. We owe them to have this post agenda and I respectfully request it.

The Chair:

Procedurally, we have a motion on the floor for the letter requested by Mr. Coyne and a post agenda can be set up individually. There's no need for a motion.

Mr. Cohen:

Mr. President, I just want to say that I think we're in agreement in the sense that we all agree that Zone 6 Police Station is in a deplorable condition. I'll defer to the President as to how best to get a response from Engineering and Construction on why that police station in particular is not moving forward.

The Zone 5 situation I'm not as familiar with, but with respect to Zone 6, I agree. It's really in a terrible condition and we have to move forward.

So, let's just take one action first and find out from Engineering and Construction what the situation is and then move forward on that.

Mr. Darkins:

Mr. President, when we speak of No. 6 in returns to No. 5, I kind of cross there with Councilman Cohen because, as you know, the Department of Public Safety is using the old firehouse in my district at the corner of Line and Penn Avenue.

This past week, to make it aware to my colleagues on Council, I have been meeting with the North Point Breeze Coalition and other coalition groups in that particular area.

So, I would be very pleased if whatever is going to be put in that letter, let's talk about No. 5, all stations, especially the firehouse that they're using there on Penn Avenue and Line.

The Chair:

This letter pertains to No. 5 and No. 6.

All those in favor? Opposed?

Michelle Madoff:

Opposed.

WHICH MOTION PREVAILED.

Michelle Madoff:

I would like to make a request that tomorrow we have a post agenda to address the monies that this Council voted for for all the fire stations and all the police stations, to find out the status and where we're going and how we're going for it because I think Mr. Darkins makes a very valid point. When we address 6, what happens to 5? When we address 5, what happens to 4? Let's find out and let's have it accessible to the media to find out what's really happening.

The Chair:

Fine. The post agenda will be held to-

morrow.

Michelle Madoff:

On another item. May I make a request that we televise the cigarette vending machine hearing because there seems to be a tremendous amount of interest in it and I think it should be televised.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

On another matter. I've been a little slow in getting it ready, but Mike Perry and I talked before this whole issue, and I must say I got the concept from looking at what happened with the School Board, the issue of the personal credits, Frequent Flyer Credits. We were going to introduce, and I did have prepared by Mr. Perry, something to address the issue.

Well, as you know, if you've been following what's happening in the media, there seems to be some confusion about what is correct and what is legal and what is permissible and what is not permissible.

I found it interesting that in an article in the Post Gazette, June 16th, it is reported that a fact of the Commission may weigh in airline rules typically the airlines award credit only to the person actually traveling, not to a company or organization, not matter who pays the trip.

And then it goes on in another paragraph to say, "School Board President Barbara Burns suggested that if the Commission ruled that individuals may not use the ticket, perhaps they could continue to earn credits but use them only for future school business trips.

I've spoken to Ben Hayllar or Mr. Turner, I'm not just sure which, the financial people of the City, and they seem to be very supportive of our not letting individuals use their frequent flyer credits. According to the Budget Office, the information we have is that close to \$200,000 a year is spent on trips and therefore Frequent Flyer points would be earned.

So, the way we might address it is either, according to Mr. Hayllar, is to create an arrangement with a travel agent where we book all our flights through the one travel agent and they in turn would give us back the credits. Again, of course, we run into the issue of can you give it back to an entity. Perhaps they could keep the credits and then we would book in the future for any other trips. In other words, if a member of the City flies, they book through the one agency, the Frequent Flyer credits are held by that agency, albeit in somebody's name, and the next time somebody flies, we use it.

Because of the restrictions of it perhaps belonging to an individual, I would like to urge the Administration to speak to US Air that basically has a lock on the airport, and whatever other airline there is, and there is an office -- I was looking in this article, it isn't listed, but there is an article that lists the Frequent Flyer Administration, I'm not sure what city they're out of, to speak to them about allowing us to keep these points intact to let City members use the same points without having to pay for more trips and not to use them on a personal basis.

So, I guess what we need to do, Mr. Perry, is to write a letter to the Administration requesting that, and I would like it to be a letter of Council and not just from Michelle Madoff, saying let's keep those points for future flights and asking US Air and the other airlines, through this one agency that represents all Frequent Flyer trips, to please allow us to do that. I make that a motion.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Regan:

I just want to say that I think that all Councilpeople should take a tour of the police stations and see the deplorable conditions that they're in. I think that we should get a van and we should go around to every police station.

If you saw the plaster hanging down and the lousy no-paint jobs and the stinky conditions of our police stations, I don't even know who in the hell would want to work in there. Police are supposed to be tough because they take on tough situations and come in upon the worst incidents and people, and I'll tell you, I don't know how they work in there.

I think the morale of the Police Department is down and I think that one way we could really up the morale is to at least give them a fresh paint job. At least make them feel like regular citizens in there working.

The Chair:

An excellent idea, Mr. Regan.

Mr. Perry, would you schedule a tour of the six police stations within the next two weeks? Thank you.

Michelle Madoff moved to excuse Mr. Ferlo for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Coyne moved to approve the Minutes of

Tuesday, June 19, 1990.

Mr. Darkins seconded the motion.

Which motion prevailed.

And on the motion of Michelle Madoff

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, July 3, 1990

No. 27

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, July 3, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presents

No. 1047 WHEREAS, the Three Rivers Center for Independent Living was established in 1980 as a grant-funded program under the Harmarville Rehabilitation Center; and

WHEREAS, in 1983, with less than a handful of staff and an operating budget of less than \$75,000, the Three Rivers Center for Independent Living was incorporated as a non-profit corporation and began providing services to persons with disabilities throughout the area; and

WHEREAS, the mission of the Three Rivers Center for Independent Living is to promote independent living in Southwestern Pennsylvania for and by individuals with disabilities, to enable them to take control of their lives, to make decisions about themselves and their future, to ensure that the necessary support services are available to enable them to work in and be accepted by their communities, and to prevent unnecessary institutionalization; and

WHEREAS, last year the Three Rivers Center for Independent Living provided services to more than 1,600 individuals with disabilities to enable them to live independent lives in the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby acknowledge the tenth

anniversary of the operations of the Three Rivers Center for Independent Living and proclaims July 6, 1990 as Three Rivers Center for Independent Living Day in the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Coyne:

With me today is Bill Christner from the Three Rivers Center and he would like to say a few words.

Mr. Christner:

On behalf of the Three Rivers Center for Independent Living and all the people with disabilities who we serve, I would like to thank City Council for passing this resolution.

In the last ten years, Three Rivers Center for Independent Living has come a long way and so have people with disabilities.

I have to commend City Council. About six months ago, you passed a resolution supporting the Americans with Disabilities Act and, unfortunately, it's still not through final passage in the House of Representatives and the United States Senate, but the President has agreed to sign it as soon as it is.

You also had us come and take a look at City Council and the City County Building to see what could be done to make things more accessible. I'm glad to say that you have made some improvements and added an extra parking spot out front. But when people drove up to use it this morning, there was a City Department Water truck out there and a police car. We have

the police car license plate number but I don't think it matters anymore because someone told me that another police officer was writing a ticket for the first police car.

I do have a couple of things to ask City Council's help on in the future. As I said, there is still a long way to go. One thing I'd like to ask your help on is, by now I'm sure you know that the Port Authority Transit System is buying 120 new lift-equipped buses, and I'd like to have City Council work with the Port Authority or oversee the Public Works Department to make sure that intersection curb cuts are installed along the routes where these buses will be put into service.

Secondly, I'd like City Council's help in implementing a policy of respectful language usage concerning people who have disabilities. The old adage that "sticks and stone may break my bones, but words will never hurt me" is not a truism. Language usage is very important in shaping attitudes and subsequently behaviors. The Americans with Disabilities Act can help to control discriminatory behavior but we need City Council's help in using appropriate respectful language. We don't use terms like, "the weaker sex" or other derogatory terms for other minority groups. It's not going to take much to recall the "hunky" steelworker incident of just a few weeks ago. We, as people with disabilities, would expect similar respect when using written or verbal communications and I'd like City Council's help.

I brought some pamphlets to help you understand what we mean but respectful language. Michael, if I can give these to you to give to Members of City Council. If you could work with the Mayor's Office in implementing policies of respectful language, it will help a great deal to help integrate people with disabilities into the community.

Language, demeaning and devaluing

language, helps to promote the stereotypes of dependency, passivity, helplessness and pity. And respectful language helps to bring to the forefront the fact that people with disabilities are responsible, productive, contributing members of their community. We're asking for your help in doing that. We're asking for you not to use stereotypic terms like the blind or the handicapped or the disabled, or using descriptors or conditions as adjectives like "blind people" or "deaf people". We would like you to use "people first" language, "people with disabilities" or "people who have hearing impairments" and so forth.

So, it would be very helpful and very easy, I think, to use or adopt a policy of respectful language.

The third thing that I'd like to have some help with is helping to oversee that all of the City's services and resources are available to people with disabilities, as the ADA passes. We'd like your help in making sure that housing opportunities and employment opportunities in the public and private sector are open to people with disabilities, which has not always been the case in the past. And even today, discriminatory practices and behaviors occur all the time. With City Council's help and oversight, I'm sure that we could do away with that.

We're really most appreciative. I just want to say thank you very much for that certificate and recognizing how far people with disabilities have come, how far Three Rivers Center for Independent Living has come, but to remember that there's still a long way to go. Thank you very much.

Mr. Darkins, Mr. Ricciardi and Mr. Cohen present

No. 1048 WHEREAS, the Pittsburgh Center for the Arts, originally known as the Arts

and Crafts Center of Pittsburgh, was founded in 1945; and

WHEREAS, on June 24, 1990, a dedication ceremony was held to officially mark the completion of renovations to the Center and to thank friends and supporters; and

WHEREAS, the Pittsburgh Center for the Arts is the largest of its kind in the Commonwealth of Pennsylvania; and

WHEREAS, the Center has enriched the lives of more than 150,000 women, men and children from ages three to eighty; and

WHEREAS, the Center accommodates nearly 4,000 students in their pursuit of the visual, performing and creative arts; and

WHEREAS, the Center serves as a gallery where regional and national artists can showcase their works; and

WHEREAS, 1990 marks the forty-sixth year that the Pittsburgh Center for the Arts has provided opportunities for artists, students and art lovers to learn and develop an appreciation for and of the arts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes the Pittsburgh Center for the Arts for its steadfast dedication to carry out its mission to foster an appreciation of and to encourage a participation in the arts among all citizens of the tri-state area.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Darkins:

This is an unusual day today to my colleagues on Council, Mr. President, because we had asked that Mr. Ricciardi and also Dan Cohen would join us in this resolution.

We have here today to receive this resolution JoAnne Wilson. She's the President of the Board of Trustees. She'll be accepting this at this time.

Ms. Wilson:

I'd just like to say on behalf of the Board of Trustees of the Pittsburgh Center for the Arts and the staff, our sincere thanks to the Council for the initial \$800,000 that you gave to us which we really appreciate.

This really started our campaign program which we worked on for a year and raised \$4,700,000 to restore the three buildings which you so kindly have let us use for 45 years.

I think that those who have not seen them would be very proud and very thrilled. They are really a beautiful addition keeping up with the Downtown of Pittsburgh.

We sincerely thank you for all your help. You've helped indirectly 1,500 artists and many thousands of students that use our school. So, on behalf of the Board and the staff and everyone else, we sincerely thank the City of Pittsburgh. Thank you.

Mr. Ferlo:

I just want to thank the representative from the Board and say, not only congratulations but I hope that you appreciate, as I do, that you have blazed the way, so to speak, for a very unique arrangement. We have a similar kind of issue that Council will deal with in the future regarding the King Estate. I think what you've

done is enable us to find new and creative ways to deal with some of the concerns that we have and maintain some of the beautiful facilities. So, I just want to say thank you and thank you for blazing the trail.

Ms. Willson:

Thank you.

Mr. Ferlo:

I'd like Reverend Upsher and some of the representatives to come forward.

Mr. Ferlo presents

No. 1049 WHEREAS, the Pittsburgh Charity, Greater Love Outreach, has faithfully dedicated its resources to aiding the hungry, the helpless and the homeless in our City, and to assisting the distressed with food and counseling and support; and

WHEREAS, Greater Love Outreach Ministry and Charity have dedicated their total resources to helping young pregnant mothers in distress, and to persons humbled by the throes of drugs and alcohol abuse; and

WHEREAS, Greater Love Outreach has sought to remain a 24 hour crisis intervention hotline for our City's needy and uprooted; and

WHEREAS, this evening, the following individuals will receive an appreciation award for their charitable donations of both time and funding for Greater Love Outreach: Julie Dillenburger, Nancy Henne, Jack Henne, Rose Longo, Eugene Morgan, Paul Patterson, Pastor Jay Passavant, Connie Long, Roy Twyman, Linda Smith, Father Don Nally, Paul McMurdy, Reverend John Golden, Jacqueline Terry, Beverly Porter, Mr. and Mrs. James Freeman, Katherine Scott, Bill Donahue, Jim Fitzgerald,

Judith Marlow, Doris Davis, Russ Bixler and Cornerstone T.V., Richard Demus, Catherine Scott, Doris Davis, James Henry and Grace King.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the day of July 3, 1990 as "Greater Love Outreach Day" in this great City of Pittsburgh and hereby extends continued success in this and all other charitable undertakings.

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. I'm very honored that some of the representatives and honorees are here this morning. Some of them were not able to make it. I'd like to introduce Reverend Upshur to say some words. Thank you.

Reverend Upshur:

Thank you, Mr. Fero and City Councilmembers. We appreciate the resolution that you made on behalf of Greater Love Outreach. We receive it on behalf of all of our supporters and our donors.

And we would say that we want to encourage Members of City Council to continue to pursue excellence in helping to obtain that No. 1 status again for the City of Pittsburgh. They already have housing, employment, medicine and, of course, bringing homelessness to a minimum, hunger to a minimum as well. Thank you so much again. God bless each one of you.

Mr. Darkins:

Mr. Chairman, I'd just like it noted in the Records of Council that the Reverend and Mrs. Upshur have been in this type of program for the past 35 years and I've known them. It's nothing new what they've been doing. They've been doing it for 35 years. They've been feeding the hungry, clothing the naked, and supporting the poor. We're so glad that Mr. Ferlo took out the time to have this resolution drawn up for their organization.

Mr. Ferlo:

I'd like to ask some of the representatives from the Black Workers for Justice Organization to come forward, as well as the Coalition of Black Trade Unionists and I think some other local union representatives from the Hospital Workers for the following resolution.

We have with us also a representative from the city workforce in Durham, North Carolina, a representative from Local 1194.

Mr. Ferlo presents

No. 1050 WHEREAS, the City of Pittsburgh has such a deep-rooted history of trade unionism that it has often been referred to as "the cradle of the American labor movement"; and

WHEREAS, the well-being of working people is vital for the well-being of our City, and the well-being of working people is advanced by strong, democratic unions; and

WHEREAS, organizing such unions in the South has long been a declared goal of the labor movement, civil rights organizations and the African American community; and

WHEREAS, Dr. Martin Luther King, Jr. explained in 1965 that "the widespread, deeply rooted Negro poverty in the South weakens the

wage scale for White as well as the Negro" and that "a low wage structure in the South becomes a heavy pressure on higher wages in the North"; and

WHEREAS, Black Workers for Justice, a North Carolina-based organization dedicated to the realization of Dr. King's vision, is working to advance the cause of organized labor in the South; and

WHEREAS, a tour of working men and working women from that organization is visiting Pittsburgh from July 1st to July 7th to learn from the labor movement here while at the same time educating working people, trade unionists, religious and community activists and concerned citizens of the Pittsburgh area about the conditions of unorganized labor in the South.

NOW, THEREFORE, BE IT RESOLVED, that we warmly welcome these guests to our City, wish them well in their efforts, and encourage our citizens to give serious consideration to their message; and

BE IT FURTHER RESOLVED, that July 1st to July 7th be declared "A Week of Solidarity with Southern Labor Organizing" and that July 3rd be declared "Black Workers for Justice Day".

Mr. Ferlo moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much. I'd like one of the representatives to come forward and she is from the city workforce down in Durham. She's Vice President of the American Federation of State County Municipal Employees Local 1194,

Nathanette Mayo. I'd like to have her say some words.

Ms. Mayo:

We'd like to thank the City Council for this proclamation. We're very excited about getting it, that's why we came up early and had to go back and sit down. But this is very exciting to us.

As he said, a lot of the workers in North Carolina, roughly 6 percent of the workers in North Carolina, are unionized and, although I am a member of the Durham City Workers' Union, the American Federal of State County Municipal Employees Local 1194, because of the laws in North Carolina, we are an employment at will state. No collective bargaining for public employees. We have no contract. We do not have a Memorandum of Understanding either so it's very difficult to do organizing in the state.

So, the Black Workers for Justice is very instrumental and very helpful with trying to organize workers in workplaces around the state, particularly in the eastern and central part of the state, around concerns that they have on the jobs and getting people familiarized with what unions are all about and just laying the groundwork for unionization in the future.

We're here on the solidarity tour to let workers in the North and the Mid-west know about what's going on in the South. Some of the conditions that workers face there, people cannot believe that things are going on like that. People working in plants for 10 and 12 or 15 years and still making \$4 an hour. No health and safety regulations on the books. Some of the conditions are just unbelievable and workers are here trying to get that message of solidarity across.

And we're also letting people in the

North realize too that all of the companies that are leaving here are running to North Carolina or running to the South because of the low wages there, because governments, municipalities, give them free land, no taxes, free water, free whatever they want just to come there, with the promise that there are no unions there so you can treat the workers as you will. So, this is why we're here today, to build up the connection between workers here.

U.S. Steel recently opened up plants in North Carolina. A lot of the auto plants are breaking up and coming to North Carolina and producing mirrors here, brakes here, just pieces of cars and then finally it comes back and gets put together. But a lot of the plants that are moving from the North are coming there and the service industry is also growing big. The Research Triangle Park now is the largest research and development facility in the nation. It's taken the place of Silicon Valley and that's in the central part of North Carolina.

So, these are just some of the issues that workers are faced with, communities are faced with, and we're very glad to receive this from you and we ask that you continue to support the workers in the South and encourage trade unions here to come South and help to organize workers there. Thank you.

Michelle Madoff:

Mr. President, may I ask a question, please? Isn't Research Triangle Square where EPA is centered for their environmental thing for the nation?

Ms. Mayo:

They have a huge facility.

Michelle Madoff:

I know. I've been there. Maybe they ought to set an example by not being in a state that encourages the kind of activity that you're talking about. It's a disgrace. We ought to be talking to the federal government about that kind of thing.

Ms. Mayo:

The community that I refer to is right outside the Research Triangle Park. We were contaminated by a company that was located near. They contaminated all the well water supply in the community and we've had a real struggle.

Michelle Madoff:

Call me. I'll help you on that one.

Mr. Milllones:

May I also say that we would not want you to leave Pittsburgh with the conception that this is a good labor town with respect to how Blacks and minorities are treated. We have a very difficult problem here in Pittsburgh, particularly with Blacks and women in the construction trades. We have a real problem. So, I would not want you to leave thinking that this really is the cradle of equity because it is not.

Ms. Mayo:

We feel that we can learn from each other.

Michelle Madoff:

There's strength in numbers.

Mr. Ricciardi presents

No. 1051 WHEREAS, on June 30, 1990, Michael Kutarna will retire from his posi-

tion as Steward of the John Kollar Slovak Literary Society; and

WHEREAS, Michael Kutarna has served as Steward of the John Kollar Slovak Literary Society for over three decades - a total of 31 years; and

WHEREAS, Michael Kutarna's devotion and loyalty have contributed to the growth and vitality of the Society; and

WHEREAS, the skills and knowledge gained by Michael during his tenure as Steward will be difficult to replace.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and congratulate Michael Kutarna on his retirement as Steward of the John Kollar Slovak Literary Society, and extends a wish for good health and success in all his future endeavors.

Mr. Ricciardi moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

The next resolution will be presented to the Karen Tobias Dance Company. I'd like everyone to please step forward, all the members and representatives. I'm very proud to present this resolution.

The Chair presents

No. 1052 WHEREAS, the Karen Tobias Dance Company has been chosen to represent the United States in the 1990 Australian Festival of the Performing Arts; and

WHEREAS, the Selection Committee for the competition from Grandville, Michigan chose the Tobias Dance Company as the United States representative after seeking out only those performing groups which clearly demonstrated a level of talent and ability consistent with generally accepted standards for excellence in their field; and

WHEREAS, the group will participate in this cultural exchange program from July 8th through July 22nd and will have major performances in the cities of Brisbane, Cairns, Port Douglas and Sydney; and

WHEREAS, the performers that make up the Karen Tobias Dance Company are: Julie Rucinski, Jodie Bender, Genalle Passanante, Jill Randolph, Lauren Machajewski, Michael Tobias, Angie Kurtz, Nicole Lankes, Beth Randolph, Randy Tobias, Tata McNulty, Toni Contestable, Jennifer Speranza, Jennifer Gruber, Lori Baumgarten, Chris Tobias, Melissa George, Mindy Dolinski, Heather Kessler, Kirsten See Miller and Shannon Gilg.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Karen Tobias Dance Company on being selected to represent the United States in the 1990 Australian Festival of the Performing Arts and wishes them well in their trip to "The Land Down Under"; and

BE IT FURTHER RESOLVED, that the Council commends Karen and John Tobias, the parents, friends and relatives of the performers and the performers for their dedication, efforts and hard work that went into making this once in a lifetime trip a reality.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

We are very proud from the City of Pittsburgh that all of you are representing this country going to Australia. As was indicated, it is the only group from America and for all of you it's a once in a lifetime opportunity. It's a couple weeks and I'm sure you're going to have a fantastic time.

In the process, they are trying to raise some monies. I understand they have to raise over \$50,000 for the trip and in addition to complimenting them and congratulating them with this resolution, obviously it's broadcast on the cable channel and anyone who would have the opportunity to contribute to the group for the trip, they could do that. They have to raise the money themselves for the trip.

I ask Patty Kurtz, the parent representative, to please step forward and say a few words. Patty, maybe you could give a little further information in regard to that. Patty is going to say a few words and also Mindy Dolinski, one of the performers is also.

Ms. Kurtz:

Thank you. First of all, on behalf of the Karen Tobias Dance Company, the parents and the dancers, we're very proud and we thank you for this resolution.

As representatives of this City and of this Country, we will take warm feelings and acknowledgment to the cities and we just would like to thank you very much.

They're very excited about going. This is a wonderful opportunity. We're going to be presenting plaques to the various mayors in the Australian cities. So, it's just a very exciting op-

portunity. Thank you.

Ms. Dolinski:

On behalf of all the dancers, we'd like to thank Mr. Wagner and City Council for this resolution.

We've been together for five years and last summer we went to Boston and we thought that was the greatest thing. But going to Australia, we're really excited to go and we hope we make everyone in Pittsburgh very proud of us. Thank you.

The Chair:

I'm sure they'll represent the U.S. well.

The next resolution I'd like to present to the Canevin High School girls' softball team and I'd like all of those members and coaches to please step forward to receive it.

Prior to the Council meeting we took a photo outside and myself and Mr. Jacoby, the coach, were standing in the rear and obviously we were lost in the photo.

Michelle Madoff:

I want to know what kind of vitamins they're taking.

The Chair presents

No. 1053 WHEREAS, on June 15, 1990, the Canevin High School Girls' Softball Team competed in the State Girls' AA Championship game against Bristol High School; and

WHEREAS, because of their outstanding record of 26 wins and only 1 loss along with their acquisition of the PIAA District VII Title, the Canevin Crusaders are deserving recipients

of this award; and

WHEREAS, the members of the Canevin Crusaders Softball Team that have achieved this goal are: Jessica Jones, Karen Seitz, Emily Farkas, Diana Zappa, Melynnie Tumnskie, Tracy Perfetti, Colleen Behr, Carrie Jacoby, Nikki Morabito, Stacey Geyer, Michele Cercone, Alissa Noel, Jeni Lynch, Jen Lucot, Beth Nagy and Angela Petrone; and

WHEREAS, the Crusaders, through their hard work and outstanding team play, have brought honor not only to themselves and their school but also to the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council hereby congratulate the Canevin "Crusaders" Softball Team, Head Coach and Athletic Director Bob Jacoby and the Assistant Coaches Tim Fazio and Jeff Barrick on their brilliant regular and post season play; and

BE IT FURTHER RESOLVED, that this Council also wishes to commend Principal John Maurer and the entire administration and faculty for their crucial support in making these girls true champions.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

As everyone is aware, Canevin is one of the major Catholic High Schools in the City of Pittsburgh. Many of these young ladies, I grew up with their parents, actually, and there are many familiar names in here for me and I'm very proud to present this resolution. And we want all of you to know that the City of Pittsburgh is

also very proud of your athletic accomplishments and also your accomplishments in school and education. Hopefully, we want you to go on and achieve greater things, not only in athletics but also in education.

I'd also like to thank Lefty Behr, who many people here may know is an employee and supervisor in Public Works, that recommended that I present this resolution.

I would now like to ask Mr. Bob Jacoby, the head coach, to please come up and say a few words.

Mr. Regan:

Northsider.

Mr. Jacoby:

Thank you. I'll remember my roots.

On behalf of Canevin Catholic High School, the administration, the faculty and the students, and most of all the girls' softball team, we'd like to thank City Council for honoring us today.

The success we had this past season just didn't start this year. Most of these girls played in the recreation leagues around the City of Pittsburgh for the past 10 or 12 years and they gained a great deal of knowledge of the game, the skills and the sportsmanship.

We would like to thank the City of Pittsburgh for providing the facilities through Parks and Recreation and through Public Works so that the girls could continue to play into high school.

We have 7 seniors this year. All 7 seniors are going on to college and we're very proud of that. We're very proud of the accom-

plishments that they had this past year.

Again, thank you for having us here.

I'd like Nikki Morabito representing the team to say a few words.

Ms. Morabito:

On behalf of Mr. Jacoby and the coaches and the softball team, we'd like to thank City Council for taking time out to recognize the great achievements we've accomplished this year.

Mr. Cohen presented

No. 1022 Resolution transferring \$3,000.00 from Code Account 1480, Premium Pay, to Code Account 1488, Repairs, and \$3,000.00 from Code Account 1480, Premium Pay, to Code Account 1490, Equipment, all accounts within the Department of Engineering and Construction.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1023 Resolution authorizing the Mayor, the Director of the Department of Public Works and the Pittsburgh Water and Sewer Authority to execute an Agreement with the Borough of Greentree to permit the Borough of Greentree to drain sanitary sewage into the City of Pittsburgh sewage system.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1024 Resolution transferring the amount of \$5,000.00 from Code Account 1001-

1, Misc. Services, City Council, to Code Account 1103, Misc. Services, Dept. of City Planning.

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1025 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for professional services relative to the implementation of a Scholarship Fund, for the benefit of the residents of the Housing Authority of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1026 Resolution providing for the issuance of a warrant or warrants in the amount of \$1,930.63 to Varieties Unlimited, Inc., Beverly Dodson, President for the purchase of bill stuffers for the Remote Meter Installation program, chargeable to and payable from the MIP Trust Fund, Department of Water.

Also,

No. 1027 Resolution transferring the amount of \$5,000.00 from Code Account 1001-1, Misc. Services, City Council, to Code Account 1103, Misc. Services, Dept. of City Planning.
---(SPONSORED BY MICHELLE MADOFF)

Also,

No. 1028 Resolution providing for the transfer of funds totalling \$28,500.00 from Code Account 1926, Municipal Obligations for Non-City Water, Administration, Dept. of Water, to various Code Accounts, Dept. of Water.

Also,

No. 1029 Resolution providing for the transfer of \$125,000.00 from Code Account 1977, Utilities, Purification & Pumping Division, Dept. of Water, to Code Account 1927, Refunds, Administration Division, Dept. of Water.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1030 Resolution providing for an Agreement or Agreements with the Westgate Community Development Corporation, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning.
---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1031 Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the purchase and delivery of Universal Meter Reading Equipment and Related Computer Accessories at a cost not to exceed \$26,500.00, chargeable to and payable from Code Account 1925, Equipment, Administration Division, Department of Water.

Which was read and referred to the Committee on Water.

Mr. Milllones presented

No. 1032 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Section 263.02(b) (2), and (c) by correcting the date when the first quarter and annual payments are due. The last acceptable date to make payments of Real Estate tax without penalty and interest has been March 15 of any calendar year, but the Code reference lists the date incorrectly as March 31. The Code amendment would clarify the date due to match past practice.

Also,

No. 1033 Resolution providing for the issuance of a \$768.00 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage to a leased vehicle during the summer of 1989, payable from Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

Mr. Regan presented

No. 1034 Resolution providing for the issuance of a warrant in favor of Physio Control Corporate Headquarters, 1181 Willows Road Northeast, P.O. Box 97006, Redmond, WA 98073-9706 for an emergency purchase of Lifepak 10 Monitors with Pacemakers for use in the Emergency Medical Services Bureau at a cost not to exceed \$15,392.13, chargeable to and payable from Code Account 1423, Equipment, Bureau of Emergency Medical Services, Department of Public Safety. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1035 Resolution amending Res. No. 616 of 1989 entitled: "Providing for the filing of an application by the City of Pittsburgh with the federal government for a grant in connection with the National Institute of Justice, providing for the execution of a Grant Contract for the filing of requisitions and other data; approving the 'Drug Market Analysis Program' Project in Pittsburgh, Pennsylvania; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account." The total amount payable to contractors under this resolution shall not exceed \$317,269.00, chargeable to and payable from Code Account Drug Market Analysis Program Trust Fund.

Which was read and referred to the Committee on Public Safety.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bills only or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1036 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase (200) sections of fire attack hose for the Bureau of Fire at a cost not to exceed \$16,000.00, chargeable to and

payable from the Dept. of Public Safety, Bureau of Fire, Code Account 1464, Equipment.

Also,

No. 1037 Resolution providing for a Contract or Contracts or the use of existing Contracts to purchase (6) "Stinger" portable monitors for the Bureau of Fire at a cost not to exceed \$14,400.00, chargeable to and payable from the Dept. of Public Safety, Bureau of Fire, Code Account 1464, Equipment.

Which were read and referred to the Committee on General Services.

The Chair presented

No. 1038 Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company (1817 Banksville Road, Pittsburgh, PA 15216) in the amount of \$2,492.90 for the purchase of office furniture for City Council, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc. --- (SPONSORED BY MR. WAGNER)

Also,

No. 1039 Resolution providing for the issuance of a warrant in favor of Bernie's Photo Center, Inc. (525 East Ohio Street, Pittsburgh, PA 15212-5593) in the amount of \$1,079.10 for the purchase of photographic equipment for City Council, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc. --- (SPONSORED BY MR. WAGNER)

Which were read and referred to the Committee on Finance.

Also,

No. 1040 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of April 30, 1990.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1041

Report of the Committee on Finance for June 27, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 951

A Resolution entitled, "Resolution recommending that the City of Pittsburgh be prohibited from investing any monies, including but not limited to pension funds, in the stocks, securities or other obligations of any tobacco company, and further authorizing and directing the City of Pittsburgh to withdraw any monies, including but not limited to pension funds, presently invested in the stocks, securities or other obligations of any tobacco company."
---(SPONSORED BY MICHELLE MADOFF) (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ricciardi:

On Bill 951, I'd like my comments to be brought forward from last week.

Mr. Ferio:

I just want to thank Michelle for the legislation and I would like my comments brought forward also.

Mr. Cohen:

I, too, would like my remarks on Bill 951 to be brought forward for the Record and I'd like to congratulate Councilwoman Madoff on this bill. I think it's a good bill and I think that morality should be a factor in investment decisions by public bodies and I think that's what this does.

Michelle Madoff:

Bring my comments forward also, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. RICCIARDI, FERLO AND COHEN AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 951, WEDNESDAY, JUNE 27, 1990)

Michelle Madoff:

Discussion. My efficient staff obtained from Massachusetts the Tobacco Divestment Project and I'm not going to spend all this time reading all of it to you but I want to tell you but I want to take a couple of excerpts that I think should be of interest and everybody got a copy.

You may not have had the time to read it all but I think some of the issues are very important and here are some of the quotes.

"The Tobacco Divestment Project champions a single, simple proposition. We should not profit from tobacco addiction.

No individuals or private organization should profit from tobacco addiction. It is totally unconscionable for non-profit and public groups to invest in the leading, preventable cause of death in America.

Life and health insurers should no longer compromise a commitment to the well being of their policyholders by investing in products which shorten life and destroy health.

States and municipalities which bear the brunt of tobacco's true cost in runaway health care and insurance costs should set the moral example that business as usual, profits before health cannot continue."

What reasons lay behind the call for divestment? This is one of many organizations and universities and so on that have gone into divestiture.

Tobacco use is a leading preventable cause of death and disease in this country claiming over 390,000 American lives last year. Tobacco use over taxes our health care system and drives the cost of health insurance to such staggering heights that it places a higher cost and reduce productivity upon industry. All this is true and horrific but the most shocking and tragic aspect of this crisis is that it continues unabated. Everyday 3,000 teenagers start smoking. Our health education curriculum are not able to overcome the curiosity of the young, especially when their elders smoke and when cigarettes are promoted in the magazines they read and displayed on billboards, especially when cigarette companies sponsor rock concerts and place their symbols on beach blankets, T-shirts and posters. Still, the number of smokers is declining and if you saw in this morning's paper, I'm asking that we divest from Phillip Morris

is now going to diversify out of the tobacco business and they should because they're losing millions of customers.

If we own the stocks and bonds of tobacco companies, we are endorsing the aggressive, predatory marketing practices of tobacco executives who seek to replenish their dwindling customer base by enticing new smokers. Children, minorities and young women in particular with a 3.28 billion domestic marketing budget.

I could go on and on and give you more stats but I think I've made my point and I think they make it quite eloquently. This is Massachusetts that has diversified.

And to tell you that I am being very responsible, before I brought it to this Council, I went down and spoke to Ben Hayllar and I went to Mr. Turner in the Budget Office and I looked at the numbers and then I went to Mr. Hayllar and said, "Look, I'm going to introduce this" and they said they had no problem with it and the dollars we're talking about are minimal. We are talking about \$55,000.00 out of multi-millions of dollars invested in -- as Mr. Hayllar told you -- it is not city tax dollars, it's the pension money that's invested. But if we don't take a stand, the cost to the community -- we have children born prematurely, children who are dying of AIDS. How do we know that the parents who are smoking, the young kids that are smoking is not the cause of this so we put money into something to treat the disease and we could prevent it so I plead with you, if you care about the country, the kids are our biggest assets. Let's not have these 390,000 kids a year replace the adults who are dying off. I ask you please to vote as a symbol that we take the lead. Let's not be followers, let's be leaders and let's take the lead and say let's divest, let's respectfully ask the Pension Fund to please divest themselves of this paltry \$55,000.00 and tobacco stock.

Mr. Ferlo:

I think this bill should be supported. I think it's a progressive and a creative approach to a problem that we have in our society. I don't believe that we can dictate the activities of young people but I do think we can make a strong statement with the resources and the monies and the finances that we have in city government. We've done that on other issues, albeit to some and including myself possibly more reaching. We did it in the situation of our monies being utilized in investments in South Africa and at that time I'll remind Council that legislation specifically prohibited city monies being invested and included in that bill, depositories which I don't know if this bill exactly covers. This bill may not explicitly direct the Super Pension Board regarding their pension investment policies but I think it's important that we make a statement and hopefully the Administration will be supportive in signing this

and hopefully since together Council and the Administration represent a majority viewpoint on the Pension Board , we would then in effect direct the change of investment policies at the investment level, so I wholeheartedly support this legislation. I think it's a step forward.

Mr. Ricciardi:

First, I would like to state for the record that I am not a smoker and as a matter of fact I ask my friends not to smoke in my office, car or house. But I oppose this bill because I think this is just nothing but a smokescreen in order to gut the tobacco industry and also to stop people from smoking in society and I don't think that's the way it should be done. It should be done through education and this bill, all it tries to do is dictate that people do not smoke something but tobacco is legal in our society and that is not the way to stop people from smoking so I oppose this bill.

Mr. Cohen:

I support this bill because I think that moral concerns should be a factor in our public investment strategy and that is certainly true in the case of South Africa and I think that it could be true here.

I'm glad to see that we amended the bill to recommend as opposed to try to force the Pension Board because obviously we don't have the authority to tell the Pension Board what to do but simply to recommend to them.

Also, I'm glad to hear from Director Hayllar that this will not damage the Pension Board's investment portfolio.

I think that this bill does not restrict people's right to smoke. Everybody has a right to smoke and those people who want to do it should go ahead and do it. What this bill does say is that the City shouldn't support an industry that produces a product that is hazardous to people's health so I want that to be clear. This bill does not restrict anybody's right. I think all of us here believe that people should have the freedom to smoke if they want to as long as they have enough information about what the hazards of smoking are. What this bill does say is that the City should not support an industry that produces a product that's dangerous to people's health and that's why I support it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Michelle Madoff:

On Bill 951, if the vote holds today, final vote, we will be the first City Council in the United States to set an example of asking for divestiture of funds to be spent on coffin nails, on cancer sticks, so that we will set an example of what is morally and ethically correct.

And I urge my colleagues, those who haven't, to vote in favor of this bill, to rethink it. I think it is the correct thing. It is a cost effective bill because it saves us a lot of money in tax dollars that have to be spent to help those who are afflicted by smoking. So, I would ask you please to reconsider your votes gentlemen.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 2

(MR. COYNE AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 954

A Resolution entitled, "Resolution authorizing the City of Pittsburgh ('City') to lease from the Commonwealth of Pennsylvania, Department of Transportation, certain property in the Second (2nd) Ward of the City of Pittsburgh, for a term of fifty (50) years, at an aggregate rental of One Dollar (\$1.00); and authorizing the City, as agent of Allegheny County and the School District of Pittsburgh, to convey to the Commonwealth of Pennsylvania, Department of Transportation ('PennDot'), certain property in the Eighteenth (18th) Ward of the City for total consideration of One Dollar (\$1.00)."

Which was read.

Also,

Bill No. 955

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 956

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Property Tax Reduction Trust Fund (PTRTF), for the deposit of monies from donations, contributions, grants or local funds, as may be provided for property tax reduction, and authorizing the use of monies deposited therein by the Department of Finance." --- (SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Michelle Madoff

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MR. REGAN VOTING

NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 957

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to the Property Tax Reduction Trust Fund (PTRTF)." --- (SPONSORED BY MR. RICCIARDI)

Which was read.

Mr. Ferlo:

I do have concerns. Again, I will reiterate my concerns on Bill 956 and 957. I'd like my comments brought forward. This is on the notion, well-intentioned, to create a property tax reduction trust fund. I just want to state very clearly that this legislation, as far as I'm concerned, is not only a scam but is actually a cruel hoax on elderly property owners and I think it's irresponsible for us to pass this. If we want to seriously reduce property taxes, then we have to do that. And that's through the budget debate and that's by reordering whatever the expenditures are and whatever the tax policies are of the City, and that should happen in November or December.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 956, WEDNESDAY, JUNE 27, 1990)

Mr. Ferlo:

However well intentioned this bill is, it would represent a placebo and not a tax policy. The appropriate time to deal with the difficult issue of the property tax is during the November/December budget review and consideration. This Council this past year with the Administration took a somewhat radical step forward changing the mix of taxes with the strategic goal of lowering the wage tax. That was a policy that I supported but that's something that has to be debated during the budget policies.

If we want to have a meaningful impact on the issue of property taxes, that's something that individual Councilmembers with the Administration have to vote on before we approve the final budget for 1991. It's a difficult decision and that is part of our job here in city government is making difficult decisions.

One of the outcomes of that decision in December was a commitment by the Administration to work in two areas. One, on the issue of the gentrification bill and implementing the policy which they did proceed in doing with the County Commissioners so that those older property owners on fixed incomes in certain areas would be able to avail themselves of certain considerations due to the so-called gentrification bill that passed a couple years ago.

Secondly, I believe I heard a commitment from the Mayor and the Director and others at the advice of Michelle and others that there would be a lobbying effort in Harrisburg on some tax reform considerations that would allow us to single out older property owners for some fair consideration of the burden that our increased property tax represents to them. So what we need is a systemic reform in our tax policies and this bill, however well intentioned does not address that. If you can't take the heat, get out of the kitchen. These are the decisions that we have to make and nobody likes to talk about taxes. We took a stand and we have to follow through on it this year and I encourage the bill to be tabled until such time that we have the budget hearings at the end of the year and that we come out with a tax policy. If a majority of Council wants to raise revenues by increasing wages of some other sources and decreasing property, that's something that can be debated and voted on at the end of the year.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5

NOES 2

(MR. FERLO AND MR. REGAN VOTING NO)

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 998

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Jobs Initiative Program Transitionally Needy Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Transitionally Needy Project; providing for subcontractor agreements and providing for required assurances."

Which was read.

Also,

Bill No. 999

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Initiatives Program Single Point of Contact Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Initiatives Program Single Point of Contact Project; and providing for required assurances."

Which was read.

Also,

Bill No. 1000

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving EDWAAA; providing for subcontractor agreements and providing for required assurances."

Which was read.

Also,

Bill No. 1001

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Incentive Grant by the Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1002

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1003

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1008

A Resolution entitled, "Resolution transferring the amount of \$2,500.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation."

---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1042

Report of the Committee on Public Works for June 27, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 863

A Resolution entitled, "Resolution vacating a portion of South Twenty-First Street, from vacated Ironton Street northwardly 181.65 ft. to a point, thence eastwardly 30.26 to a point, thence southwardly 177.65 ft. to a point, thence 30 ft. to place of beginning, also reserving a 6 inch waterline and an 18 inch sewer line located therein in the 17th Ward of the City of Pittsburgh, 3rd District."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Cohen
Mr. Coyne
Mr. Darkins
Michelle Madoff**

**Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)**

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1043

Report of the Committee on Planning, Housing and Development for June 27, 1990 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 640

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 17, by changing: From 'R3' Multiple-Family Residence District to 'R1-A' One-Family Residence District all that certain property identified as Parcel 'A' in the Chatham College Plan No. 4, recorded January 17, 1990, in Plan Book Volume No. 162, Pages 95 & 96, 14th Ward."

Which was read.

Also,

Bill No. 693

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', Article V, Chapter 987 'Signs' by creating 'NEIGHBORHOOD BUSINESS DISTRICT

SIGN REGULATIONS' and by designating the properties zoned 'A1' Commercial/Residential Associated District in the East Carson Street area as a 'NEIGHBORHOOD BUSINESS SIGN DISTRICT.'" (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 894

A Resolution entitled, "Resolution amending Resolution No. 143 effective February 28, 1990 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories' so as to reduce the overall grant amount from \$16,000,000 to \$15,711,000 (- \$289,000) as shown in the Department of City Planning administrative line item, and add Index Codes to the projects.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 895

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities, at a cost not to exceed \$390,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 896

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the use of existing Contracts for the printing and delivery of projects including but not limited to the Six-Year Development Program for the Department of City Planning, Code Account CDCP. Project No. 4-35-01-0002-89-050-89-35, Index No. 584169, for the payment thereof."

Which was read.

Also,

Bill No. 897

A Resolution entitled, "Resolution amending Resolution No. 317, effective April 13, 1989, entitled 'Providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof,' so as to reduce the amount encumbered from \$525,000 to \$450,000."

Which was read.

Also,

Bill No. 898

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or for the

use of existing Contracts for the printing and delivery of projects including but not limited to the Six-Year Development Program for the Department of City Planning at a cost not to exceed \$75,000.00. Code Account CDCP. Project No. 4-35-01-0002-90-050-90-35, Index No. 600551, for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 901

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Tri-State Conference on Steel for professional services in connection with their educating the public and advocating the needs of the community regarding a Magnetic Levitation Transportation System, at a cost not to exceed \$5,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	

AYES 7 NOES 2

(MR. COYNE AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 902

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United Jewish Federation of Pittsburgh for administrative assistance in operating a Career Development Center for the unemployed, in an amount not to exceed \$32,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. COHEN ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 903

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ursuline Center for administrative support in operating programs serving elderly, homebound elderly, unemployed, disabled and child care center, in an amount not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 904

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Welfare Rights Organization for administrative/operating support, in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 905

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the West End Health Care Center for administrative assistance in operating its services in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 906

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Women's Center and Shelter, an organization that provides counseling and information for the low income women experiencing domestic violence problems, in an amount not to exceed \$19,200.00."

Which was read.

Also,

Bill No. 907

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the YMCA of Pittsburgh - Centre Avenue Branch for interior rehabilitation in an amount not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 908

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community

Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City at a cost not to exceed \$75,000.00."

Which was read.

Also,

Bill No. 909

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the 'Rainbow Kitchen' for operating a Food Distribution System for low-moderate income families, at a cost not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 910

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Riverview Apartments for interior rehabilitation in an amount not to exceed \$2,000.00."

Which was read.

Also,

Bill No. 911

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Riverview Center for Jewish Services for administrative assistance in operating the therapeutic activity social services programs for the severely mentally impaired, in an amount not to exceed \$21,000.00."

Which was read.

Also,

Bill No. 912

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Clair Citizens Council for the operation of their food pantry, feeding and housing counseling programs for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 913

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, Inc., for assistance in carrying out their 'adopt a lot' program in an amount not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 914

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Rosalia Church Food Bank for administrative assistance in operating their food distribution program in an amount not to exceed \$4,000.00."

Which was read.

Also,

Bill No. 915

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Support (formerly Legal Advocacy for Women), an organization that provides counseling and information for the low-income women experiencing problems in obtaining child support payments, in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 916

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Three Rivers Center for Independent Living for the rehabilitation of their basement for use as a multi-purpose center, at a cost not to exceed \$7,000.00."

Which was read.

Also,

Bill No. 917

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Perry Hilltop South CDC for administrative support in an amount not to exceed \$20,045.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 918

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$209,328.00."

Which was read.

Also,

Bill No. 919

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$150,000.00."

Which was read.

Also,

Bill No. 920

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Community Services, Inc., for the implementation of the Home Security Program including Block Watch Organizers, and the installation of locks and smoke detectors in the City, in an amount not to exceed \$240,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 921

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the 'Pittsburgh Literacy Initiative' a pilot project

project aimed at promoting healthy parent/child relationships in low/moderate income families, at a cost not to exceed \$7,640.00."

Which was read.

Also,

Bill No. 922

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Project 90 for financial assistance in the operation of their scholarship program, in an amount not to exceed \$7,142.00."

Which was read.

Also,

Bill No. 923

A Resolution entitled, "Resolution providing for an Agreements or Agreements with the Program for Female Offenders to purchase a van in support of the Agency at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 924

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lawrenceville Citizens Council for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 925

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Development Corporation for acquisition and site preparation in their housing development and revitalization program at a cost not to exceed \$14,500.00."

Which was read.

Also,

Bill No. 926

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Metropolitan Tenants Organization for support of their housing counseling services to assist elderly and low income tenants at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 927

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Minority Youth Development Company to provide administrative support to the Agency (to operate a 'Mentor Relationship with Urban At-Risk' Program) in an amount not to exceed \$8,000.00."

Which was read.

Also,

Bill No. 928

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mom's Housing to purchase a building and provide

administrative assistance with their services for unwed mother's program in an amount not to exceed \$25,000.00."

Which was read.

Also,

Bill No. 929

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Mt. Washington Children's Center for site improvements at their outdoor playground at a cost not to exceed \$5,000.00."

Which was read.

Also,

Bill No. 930

A Resolution entitled, "Resolution amending Resolution No. 200 effective March 13, 1987, as amended by Resolution No. 267 effective April 13, 1989, entitled, 'Providing for an Agreement or Agreements with the Parental Stress Center, Inc., to provide administrative support to the Agency, so as to increase the overall allocation from \$41,000.00 to \$43,000.00.'"

Which was read.

Also,

Bill No. 931

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Golden Carriage, Inc., a non-profit corporation, to provide community social services including a shopping-transportation escort service to the aged, handicapped, and disabled in an amount not to exceed \$15,000.00."

Which was read.

Also,

Bill No. 932

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hazelwood-Glen-Hazel-Glenwood Citizens Council for administrative assistance at a cost not to exceed \$12,000.00."

Which was read.

Also,

Bill No. 933

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Homewood-Brushton Community Improvement Association for expansion to and operating assistance for their multi-purpose recreation facility in an amount not to exceed \$16,142.00."

Which was read.

Also,

Bill No. 934

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hunger Services Network for administrative assistance and operating funds for their Penn Avenue Office in an amount not to exceed \$55,000.00."

Which was read.

Also,

Bill No. 935

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Jewish

Community Center for financial assistance in the operation of their scholarship program, in an amount not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 936

A Resolution entitled, "Resolution amending Resolution No. 289 effective April 13, 1989, entitled 'Providing for an Agreement or Agreements with the Jewish Family and Children's Services Center (Senior Escort Program) to provide administrative support to the Agency, so as to increase the amount appropriated from \$13,500.00 to \$15,143.00 (+\$1,643.00 - 1990 funds)."

Which was read.

Also,

Bill No. 937

A Resolution entitled, "Resolution amending Resolution No. 290 effective April 13, 1989, entitled 'Providing for an Agreement or Agreements with the Jewish Family and Children's Service Center (Small Chore and Shopping Program) to provide administrative support to the Agency, so as to increase the amount appropriated from \$10,750.00 to \$12,750.00 (+\$2,000.00 - 1990 fund)."

Which was read.

Also,

Bill No. 938

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville/Bloomfield Meals on Wheels for

maintenance and program support in an amount not to exceed \$5,300.00."

Which was read.

Also,

Bill No. 939

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community College of Allegheny County for administrative assistance in operating their 'Employment Training Program for Special Need Adults' in an amount not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 940

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Elder-Ado, Inc., for administrative/operating assistance of their multi-purpose facility assisting elderly and low income persons at a cost not to exceed \$20,000.00."

Which was read.

Also,

Bill No. 941

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Elizabeth Seton Center for administrative assistance and operating funds of their Adult Day Care Program in an amount not to exceed \$15,600.00."

Which was read.

Also,

Bill No. 942

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Esplen Senior Citizens Association for operating assistance in running their Food Bank Project, at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 943

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Garfield Jubilee Association for administrative/operating support for their Community Maintenance Program in an amount not to exceed \$30,000.00."

Which was read.

Also,

Bill No. 944

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Generations Together for administrative assistance with their youth volunteer services for the elderly program."

Which was read.

Also,

Bill No. 945

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the 'Housing Counseling Program' for low-moderate income families, at

a cost not to exceed \$225,000.00."

Which was read.

Also,

Bill No. 946

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for a continuation of the Hill District and Oakland Loop Bus."

Which was read.

Also,

Bill No. 947

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Corporation for administrative and/or operating assistance in running a low-moderate income youth-oriented facility, at a cost not to exceed \$20,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo**

**Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner**

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 948

A Resolution entitled, "Resolution providing for an Agreement or Agreements with CareBreak to provide support to low and moderate income families caring for handicapped children at home, in an amount not to exceed \$50,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 950

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for administrative support in operating the 'Commission on Families' program at a cost not to exceed \$100,000.00."

Which was read.

The Chair:

For the sake of public consumption, these bills are all Community Development Block Grant monies, the far majority of them, federal monies funneled through the City of Pittsburgh to these groups and those dollar amounts were determined at budget time.

I am abstaining on some of these bills, as are other Councilmembers, because of being affiliated with those organizations.

Michelle Madoff:

Mr. President, may I clarify something? At one point I requested an ethics opinion on exactly this item, what we were supposed to vote on and what we're not supposed to vote on. I believe we have it somewhere in our files and I'll pull it for you, but as long as what we vote on here does not impact on the corporation in any way, you're allowed to vote as an individual. You are permitted to make a vote.

The Chair:

If there is a gray area, they suggest not to vote.

Michelle Madoff:

There really isn't a gray area. You're

vote is not going to affect how that group is going to function to get their livelihood.

Mr. Ferlo:

Mr. Chairman, just to clarify my position, I have a ruling specifically from the Solicitor. I asked that question. Last year I was on the Board of an organization who received funds. I've since resigned from that organization, but the ruling was explicitly, "If you are a Board member of that organization, you should abstain from voting." I think that's appropriate.

Michelle Madoff:

We got two different conflicting rulings.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 1044

Report of the Committee on Parks and Recreation for June 27, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1009

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Federation of War Veterans' Societies, for the Veterans Day Parade, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1045

Report of the Committee on Public Safety for June 27, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 848

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, by adding a new Chapter 606, River Safety - Boating." ---**(SPONSORED BY MR. WAGNER) (AS AMENDED IN COMMITTEE)**

Which was read.

The Chair:

We have an amendment that is in front of everyone on this bill. It cleans the language up in it somewhat.

Michelle Madoff:

Motion to adopt the amendment.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Mr. President, I'd ask your pleasure as to

this bill. I have not read this legal memo from the Solicitor and I'm wondering if this bill could be recommitted or are we voting on it today.

The Chair:

It's my intent to vote on the bill. We have had a request for a public hearing on the legislation which came in yesterday.

Mr. Ferlo:

I wasn't really addressing the public hearing, but there is substance to some of the concerns raised by the Solicitor. I support the intent of the bill but if we have to vote on it today I respectfully indicate that I will have to abstain on the bill.

The Chair:

I haven't seen it either. I spoke with the Solicitor yesterday but I have not seen it.

Michelle Madoff:

What are the concerns?

Mr. Ferlo:

I don't think it's appropriate for me to address the concerns. I think it's appropriate for the Solicitor to indicate to Council in writing, as we requested, so we can all benefit from the information.

Michelle Madoff:

You can always amend the bill.

The Chair:

It's my intent, if there's any part of this legislation that should not fall under the purview of City government --

Mr. Ferlo:

The substance of the Solicitor's concern, which was questions that we raised initially, was the pre-emption issue. Originally, as Mr. Chairman, you raised yourself, the issue of the enforcement on the alcoholic consumption issue and you raised the issue of the state superseding our pre-empting local interference with that, there are other pre-emption issues that have been raised by the Solicitor and she still hasn't addressed the liability issue, which I requested, which she is preparing a memo on.

I'm in favor of it but I'll abstain if it gets voted on today.

Mr. Coyne:

Mr. Chairman, even though we received a letter requesting a public hearing, you're still intending to go forward with this?

The Chair:

Yes, but I intend to have a public hearing on the legislation and would amend the legislation at a later time if the appropriate people come up with appropriate amendments. I have deferred regularly to our head of River Safety Operations in the City of Pittsburgh for opinions in regards to suggestions.

Mr. Coyne:

And we have requested from the Law Department clarification, correct?

Mr. Perry:

Yes, we did.

Michelle Madoff:

I think it's a superb bill. It only enhances the safety and public welfare of the people. I think we ought to proceed with it. If there is the concept of pre-emption, it occurs to me that we run into this all the time. When the Federal laws say that we should have clean air and it isn't strong enough for the States, the States make them tougher, and then the County says it isn't tough enough and then the County makes it tougher. I resent this constant stopping us from being progressive by saying, "Well, it's pre-emption of the State." There's no reason why we cannot protect our citizens because we care enough to protect them. I think it's a super bill, Jack, and we ought to support your bill.

The Chair:

If I may just briefly summarize. There is a question of pre-emption and superseding the City. In the area with alcohol consumption in boats, there is a law on the books at the State level. The other areas that have been addressed in the legislation, there is not a law on the books covering those areas.

I would prefer that a State law be passed including the items that are in this legislation and therefore there would be no need for City government to have such a bill. This issue has been in Harrisburg for years and nothing has happened.

If there is a question on whether or not the State supersedes us, that is a valid question. However, I would hope that all of you would support me on it because we are legally liable for going out there and rescuing people on the rivers. Therefore, I think we should have some regulations by which we protect people. It's a life safety issue and if the State does not want to bite the bullet and deal with it, the City of Pittsburgh should.

Mr. Ferlo:

Mr. President, respectfully, I support the intent of the legislation. I applaud the fact that you've worked on this. And one way or the other, I think we need to move not only this year but into the future in amending the Municipal Code to deal with the new realities of our rivers in terms of enforcement and safety.

We can transfer the word pre-emption with enforcement. If, indeed, the Solicitor's opinion is that there is a substantial pre-emption issue, then in fact, other than what we're doing here today as an advocacy statement, in fact we will not be able to enforce because of the pre-emption issue, the very law that we're hoping to achieve.

I'd still like clarification on that and for that reason I will abstain.

Secondly, I raise the issue of liability precisely because I'm concerned about the impact of this legislation. If we now say that we are indeed enforcing and taking control of the rivers, with that comes certain liabilities and it's that very liability issue that I would like the Administration to address, and secondly, to clarify the concern that you raised earlier, the incident we pointed to at the committee. The reason why we're responsible is because we took control of the situation involving police and river rescue.

This is a whole new ball game here and I think, for those reasons, even though I support the intent of the bill and I think we have to get a bill, I think we need some clarification from the Solicitor. So, respectfully, I will be abstaining.

Mr. Cohen:

Mr. Wagner, I think that, as I said on Wednesday, this is a strong bill, one that fills a potentially dangerous gap in the law, and I want to congratulate you, Councilman Wagner, for it.

I don't, frankly, see the pre-emption issue because, if there is no law on the State books on the same issues that are addressed in this law, then there isn't pre-emption.

I think the one area that did involve pre-emption may have been the alcohol and substance abuse, and that has been taken out, to my knowledge. So, I don't see a pre-emption problem here.

I would look forward to seeing an opinion from the City Solicitor. Apparently some members of Council have and others haven't, but I think all of us should see what the City Solicitor's view is on this bill.

But, subject to that, I think it's a very strong bill and one that will increase safety on the rivers and I think we should vote for it.

Mr. Regan:

I think it's getting late into the summer and I think that we should put this bill into being. I think that any flaws in the bill we can amend, but I think that it's about time that we do have legislation covering the people on the rivers, especially our young people who are not knowledgeable of boats and how dangerous they can be. Thank you.

The Chair:

Just briefly, again, it is the Corps of Engineers' responsibility to oversee the operation of the waterways in this country. In certain areas they have relinquished that responsibility in the Commonwealth of Pennsylvania to the Fish Commission. In certain areas they have not, such as the Flood Control Dam Projects, where they have instituted similar regulations within their jurisdiction. They have relinquished responsibility to the Fish Commission, but the

Fish Commission will not relinquish any responsibility to local municipalities. At the same time, the Fish Commission will not implement regulations equal to that of the Corps of Engineers or what the municipalities would like to see.

They have really pushed us in a corner, with the City of Pittsburgh spending in excess of a half million dollars a year on river safety rescue and a new boat dock facility. At the same time, they want to share that facility with us at minimal cost.

The taxpayers with the City of Pittsburgh have been charged with the liability and responsibility of saving people in our waterways, and I don't know how we can relinquish, this legislative body, the responsibility of appropriate laws to give our personnel the authority to do that.

That's what this is suggesting. And, if for some reason, someone challenges it at a later time, and I doubt if the State will because it deals with basic safety issues then the appropriate charge they should have is to take this issue to Harrisburg and get Legislators to adopt it. There is the possibility that it could be challenged by an individual in a boat who was fined for not adhering to basic safety regulations. If that is the case, so be it. But I really think, as Mr. Regan indicated, that we will see tomorrow thousands of boats out on that river with no safety regulations and the potential of loss of life and serious accidents. And we, as a legislative body, have to do something about it.

Mr. Coyne:

Mr. Chairman, I'll be abstaining on this bill until after we have the public hearing

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

(MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1046

Report of the Committee on Engineering and Construction for June 27, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 885

A Resolution entitled, "Resolution further amending Resolution No. 353, effective 4/30/86, as amended by Resolution No. 203, effective 4/3/89, entitled, 'Providing for an Agreement or Agreements, or Supplement

Agreement or Agreements, with a Consultant or Consultants for Design Services in connection with the Reconstruction of Arlington Avenue from East Carson Street to East Warrington Avenue; and providing for the payment of the costs thereof,' by amending the title to include Construction Inspection Services."

Which was read.

Mr. Ferlo:

I am casting a no vote on this legislation. I'm all for the project but I think it's going to turn out to be the same fiasco as Grant Street. The Romans built the Appian Way quicker than Grant Street is being built.

We should build Arlington and Warrington in one state. We should borrow the bond money if we have to. I think it's more cost effective. We should have a report on this. This project has consultantitis. This is an example of it and I just want to clarify why I'm voting no.

Michelle Madoff:

I'm going to agree with my colleague, Mr. Ferlo. This bill is an abomination. Unfortunately, or fortunately, it was the previous director and I would like to be sure that we're sending a message to the present director, Mr. Sciulli, who I think will do better, that he'd better clean up the act.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7

NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

On a couple of little items that I would like to bring to the attention of my colleagues. Number one, I want to report that I spoke to Mayor Masloff, not to be confused with Madoff, about the lighting of the bridges, about the adopt a bulb. The Mayor is adamant about not spending any City tax dollars, and I couldn't agree with her more.

I want to clarify the perception -- I'm getting all kinds of mail, all kinds of calls, all letters to the editor, about lighting the bridges. It was not this Council nor the Administration's intent to light any of the bridges. That was an activity sponsored by others in the County, on the County level. As you know, many of us went out to look at the flooding of the bridges by light, and I thought it was not the proper thing to do, and certainly not to spend half a million dollars just on the lighting and then half a million a year on the electrical costs.

I did not know the day we went out that they were going to light them with flood lights. I

have subsequently learned that there was some pilfering and damage to the equipment, so I don't think it's a good idea for lots of reasons which I don't want to go into again.

What I had thought at the time was that they were going to light them, as they did the Smithfield Bridge, with the bulbs. There are bulbs now that will last 15 to 30 years. I've gotten correspondence from the manufacturers. The Smithfield Bridge is lit with 52 light bulbs. That's all. And at the time, I thought we ought to "as individuals" adopt a light bulb. The outpouring of interest if phenomenal, from groups, from people out of the State, people in California, people in Canada. People want to adopt a light bulb. People think it's a great idea to bring us together in pride and support of our community.

Again, I agree with the Administration. Not one red penny of tax dollars should be spent on lighting the bridges, but I would like to see them lit by people adopting a light bulb. And, as you know, I have \$87 which I gave to Ben Haylar from people on the street who want to adopt a light bulb. We don't know what to do with the money and the Russians gave us the coin which I'm sure has some intrinsic value. It might be auctioned off to someone who would like to adopt a light bulb.

So, I do want to go on record. Please, it is not my intention to spend taxpayers' dollars, not penny one.

Next item. I would like to respectfully request from the Law Department a clarification on pre-emption. It is my understanding that you can pre-empt on so many issues to protect the public. That's what we were elected to do, and I'd like to have the clarification. Why we can, on the Clean Air Act, make our laws more restrictive and why we can't because it suits someone's convenience. What's the differentials? Why and when can we make laws more rigid, more

stringent, and why can't we, under certain conditions.

I believe there are no conditions. If we had rampant accidents on the river and we wanted to do something to protect the safety of the people being pulled off banksides or on boats, we would have the right to protect our citizens. Maybe we need to do something on drugs as a separate and apart legislation in our communities that we wish to enact for whatever reasons.

I think it's imperative that we define when we're pre-empted and when we're not and when we can amend and ratify legislation or create legislation.

I'd like to have that in-depth, not in a hurry, but done and well thought out and brought back to all Members of Council.

One last item. My excellent staff, as a matter of fact, Sarah Meeks, happened to notice that we received, as all Councilmembers do from the City of Pittsburgh, notifications of bids for openings for competitive examinations on employment. She brought to my attention that the starting salary for a paramedic, and a paramedic as you know must take two years of training at their own expense, the starting salary is \$8.42. A sweeper operator starts at \$11.79.

I think before we get into budget hearings it might be again appropriate for us to meet with Melanie Smith and Michelle Cunko and find out how we can equalize and make things more equitable for jobs in keeping with the skills training and opportunities.

So, I would like to ask that we schedule a post agenda, sometime close to budget. I think we have too much happening now and we break in August. Maybe in September when we come back might be a good time.

The Chair:

It's a negotiated issue.

Michelle Madoff:

I think we need to be updated. And even though it's negotiated, maybe we ought to start from a higher base. The Administration needs to educate us as to why. There may be perfectly good reasons.

Mr. Ferlo:

Mr. Chairman, since she did raise the paramedics, I did offer an amendment during the budget debates, and I will offer that again this year.

On the issue of recycling, there will be a post agenda with the appropriate City Administration officials, Ms. Rizutto and others, next Wednesday following the regular order of Council business.

The Chair:

Thank you.

Prior to adjournment, I would like to welcome Michelle Madoff's mom to Council, Ada Radzinsky.

Mr. Regan:

Mr. President, I want you to know that I showed Michelle Madoff's mother where I told Michelle that I loved her in here. Just so she understands how affectionate we are towards her daughter.

Michelle Madoff:

Now if he only votes for my bills, I'll be happier.

Mr. Regan moved to approve the Minutes of Tuesday, June 26, 1990.

Mr. Ferlo seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, July 10, 1990

No. 28

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, July 10, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins and Mr. Ricciardi present

No. 1069 WHEREAS, on Tuesday, July 10, 1990, the Pittsburgh Corps Center will host the 2nd Annual State Summer Gold games at the South Vo-Tech High School and stadium; and

WHEREAS, over 250 students from Keystone, Philadelphia, Red Rock and Pittsburgh Job Corps Center will compete in field and track - academics - the performing and fine arts - and table games; and

WHEREAS, winners of the State Gold Games will represent Pennsylvania at the Regional Games on August 10th in Philadelphia; and

WHEREAS, the Pittsburgh Job Corps Center is recognized as a major entity in the Pittsburgh area that wholeheartedly contributes to the support and development of young people ages 16-24 by providing a learning environment that meets the immediate needs and prepares our youth for a positive future.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh welcomes all Job Corps Center students to the City of Pittsburgh and extends best wishes for a successful day; and

BE IT FURTHER RESOLVED, that the Council wishes the Pittsburgh Job Corps com-

petitors much success in their Summer Gold Games; and

BE IT FURTHER RESOLVED, that the Council declares Tuesday, July 10, 1990 as the Job Corps State Summer Gold Game Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair presents

No. 1070 **WHEREAS**, tourism is a major, rapidly growing business that will become the leading industry in the United States and the World by the year 2000; and

WHEREAS, tourism, business travel and convention contribute substantially to the economy of Allegheny County and Pittsburgh, generating over \$2 billion in travel expenditures a year, or 20 percent of the total for Pennsylvania, including \$160.4 million in convention revenues alone; and

WHEREAS, these expenditures create employment for more than 39,000 citizens of the area; and

WHEREAS, the economic vitality of Allegheny County and Pittsburgh will be increasingly tied to tourism with the completion of the new Greater Pittsburgh International Airport and the surrounding hotels, restaurants and businesses that will service it; and

WHEREAS, the tourism market has become global in nature and the competition among North American cities for tourists has become increasingly intense; and

WHEREAS, Allegheny County and Pittsburgh's ability to remain a world-class competitor in the tourism industry is linked directly to its ability to market the area and promote its unique character and special events; and

WHEREAS, Allegheny County and Pittsburgh have fallen behind in making resources available for tourism marketing and service, with the budgets of the top 30 convention and visitors bureaus averaging more than twice that of the Greater Pittsburgh Bureau; and

WHEREAS, the hotel room occupancy tax is a fair and customary source of promotion revenue, constituting a user fee for hotel guests that imposes no burden on the residents of Allegheny County; and

WHEREAS, the Greater Pittsburgh Convention and Visitors Bureau receives only one percent of such room tax revenues, as opposed to approximately three percent allotments received by competing bureaus in cities such as Cleveland, Cincinnati and Philadelphia; and

WHEREAS, legislation has been introduced in the Senate of Pennsylvania, SB 1705, which would allow an increase in the hotel room occupancy tax from the present rate of three percent to five percent, with an attendance increase in the room tax allotment to the Greater Pittsburgh Convention and Visitors Bureau from the present one percent to three percent.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby expresses its support of Senate Bill 1705 and asks for swift passage of this legislation which would allow Allegheny County and Pittsburgh to become more competitive in the tourism market both here and abroad.

Mr. Millones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Thank you, Members of Council. This resolution is supported by the Hotel Association Local 57, the Hotel Employees, in the Pittsburgh Chapter of Meeting Planners International, and would be a great improvement to the marketing budget of the Convention and Visitors Bureau to promote the City of Pittsburgh and the region.

Mr. Coyne presented

No. 1054 Resolution providing for the issuance of a warrant or warrants in the amount of \$14,500.00 for payment to O&M Industries, Inc., John P.O. O'Leary, President, for a container for compactor unit, chargeable to and payable from Code Account GS 87-04, Bureau of Repairs and Operating Maintenance, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1055 Resolution granting unto Piccolo Piccolo, 1 Wood Street, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the sidewalk of Fort Pitt Boulevard and Wood Street in the 1st Ward, 6th District of the City of Pittsburgh. The request is made by Piccolo Piccolo to enhance their business.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1056 Resolution Repealing Res. No. 731, approved Sept. 14, 1989, entitled, "Providing for an Agreement with a consultant to conduct a comprehensive study of fire protection services within the City of Pittsburgh at a cost not to exceed \$195,000.00, chargeable to and payable from Code Account 1462, Misc. Services, Bureau of Fire, Dept. of Public Safety."

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Public Safety.

Mr. Ferlo:

Mr. Chairman, I just want to note that this piece of legislation that I am submitting asking Council to reconsider the expenditure of \$200,000 for an inappropriate study is not an Administration bill.

Michelle Madoff presented

No. 1057 Resolution providing for the transfer of funds totalling \$320,000.00, \$160,000.00 from Code Account 1926, Municipal Obligations for Non-City Water, Dept. of Water, and \$160,000.00 from Code Account 1977, Utilities, Dept. of Water, to Code Account 1927-9, Worker's Compensation, Dept. of Water. This transfer is requested in order to cover expenditures due to increased medical costs.

Which was read and referred to the Committee on Finance.

Mr. Millones presented

No. 1058 Resolution providing for the issuance of a warrant in the amount of \$7,500.00 payable to Marta Wilkin, c/o Howard A. Specter, Esquire, Specter Law Offices, P.C., 2230 Grant Building, Pittsburgh, PA 15219, in

full settlement of a claim at No. GD88-19925, arising from a motor vehicle accident in Pittsburgh, PA on May 14, 1988, payable from Code Account 46, Judgments. The plaintiff alleges that the trunk of a City tree was protruding into the cartway.

Also,

No. 1059 Resolution providing for the issuance of a warrant in the amount of \$90,000.00 payable to Diane Clark Hoffman and David A. Hoffman, husband and wife, c/o Howard A. Specter, Esquire, Specter Law Offices, P.C., 2230 Grant Building, Pittsburgh, PA 15219, in full settlement of personal injuries sustained in a motor vehicle accident on May 14, 1988, payable from Code Account No. 46, Judgments. The plaintiff alleges that the trunk of a City tree was protruding into the cartway.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 1060 Resolution providing for a Contract or Contracts or the use of existing contract or contracts to purchase (1000 Gallons) of firefighting foam for the Bureau of Fire at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1463, Supplies & Materials, Bureau of Fire, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 1061 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional

consulting services rendered to Eugene Ricciardi for the month of July, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, District 3, City Council.
—(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1062 Petition requesting a public hearing to discuss the River Safety Boat Regulations, Chapter 606 of the City Code.

Which was read, received and filed.

UNFINISHED BUSINESS

Michelle Madoff:

Point of Information. Is it appropriate at the time that the President of Council asks for Unfinished Business, to point out so that the department heads who have been requested to supply information and haven't done so, to say, "That's unfinished. We haven't received it yet." Might this not be a good time to send that message because, as you know, in the years you've been here, this has been a constant problem. I want to be sure that if we're going to reconsider the bill tomorrow on the "not to exceed" and "in excess of" legislation on over \$10,000 or under \$10,000, that the material we requested will be available to us before we reconsider that bill again.

The Chair:

Yes, it's appropriate.

Michelle Madoff:

Thank you. Then I don't have to repeat what I've just said. But if the department heads are listening -- Maybe it would be appropriate, then, for the City Clerk to remind the person that the bill comes up tomorrow and, if they want it considered, we need that information.

The Chair:

Thank you.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1063

Report of the Committee on Finance for July 3, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 953

A Resolution entitled, "Resolution providing for agreements with Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and the Polish Hill Civic Association relative to settlement of certain litigation relating to billboards and construction of the Bloomfield Bridge, and providing for conveyances by the City of Pittsburgh of certain properties, and providing further for certain payments not to exceed \$24,549.50."

Which was read.

Mr. Ricciardi:

On Bill No. 953 concerning the ex-

change agreement and the settlement agreement between the City of Pittsburgh, Patrick Media and the Pittsburgh Outdoor Advertising Company. I could truthfully say that after reviewing the exchange agreement, that there is something rotten in Denmark, that this exchange agreement stinks.

Number one, my initial concern was for the community in the Becks Run area in order to protect that community from the further expansion or construction of billboards. After listening to James Brown, our Chief Zoning Officer, he had said that no other billboards could be constructed on the Becks Run area. However, with further conversation with Mr. Brown during the day, he did admit to me that if a few of the smaller billboards were taken down, that would change the space requirement, then, in effect, allowing larger billboards, two-faced billboards, to be constructed.

My concern further was, I had more concern later after I spoke to a colleague of mine on City Council, and he mentioned that he had asked Patrick Media for a letter asking that until a zoning change occurs in that area, that they will no way change any structures on the land to be conveyed to them. That letter is not forthcoming. That should send a red flag up to this City Council.

Also, I met with the residents down at the Becks Run area and I was very surprised that they were more reasonable than I would be. Out of the land being given down to the Becks Run area, we're talking about three miles in the valley with a 50 foot width. All the residents down there asked for was 100 feet of that footage in order to save their community garden, their flag pole, and to allow two large billboards to be taken down. You can stand on people's porches and touch these billboards.

I asked our City Solicitor if she would

contact Patrick Media to see if that could be put into the agreement. I, myself, contacted their legal counsel and that was turned down.

If I may say to my colleagues, that was my initial concern, the Becks Run community. But after reviewing this agreement, it has escalated. I think the whole agreement stinks. There's three agreements here we should be discussing.

If I could back up, this whole thing had started pitting neighborhoods against neighborhoods in this agreement when we had the reconstruction of the Bloomfield Bridge, when several buildings and billboards were taken down. Several of the billboards were taken by the City of Pittsburgh by eminent domain, and the billboard industry where just compensation was given. There was a contract for six other billboards between the City of Pittsburgh and Patrick Media to be reconstructed after the reconstruction of the Bloomfield Bridge.

July 2, 1987, Joseph Sabino Mistick, former Chairperson of the Zoning Board of Adjustment, ruled that contract zoning is illegal. That's when the City of Pittsburgh should have stopped. However, it just escalated from there.

The second agreement was between three neighborhood groups; the Garfield Corporation, the Polish Hill Citizens Council, and the Bellefield Area Citizens Association, allowing two billboards, which I believe are illegal, to stand near the Bloomfield Bridge on the Hill District.

The third agreement, which I considered a most complicated agreement, is the agreement before us. 17 points allowing the construction of 5 new billboards giving in excess of \$24,000 to Patrick Media and POA, which is Pittsburgh Outdoor Advertising Company, transferring several large and small parcels of City-owned

property, the issuance of building and occupancy permits and the granting of zoning variances governed by the Zoning Code.

There's so much more that we should discuss in this exchange agreement. Last week, and I will take some fault because I was so interested in the zoning changes for that district, 40 residents that should be protected by some of the deals and the blue suits that made up this agreement in Downtown Pittsburgh, that we never really questioned the agreement. We've had more discussion on spillage of paint in leased vans for \$1,000 than we have had on this agreement. We've had more discussion on a parcel of land to be given to a shopping center in the South Side in order to let it expand than we have on this agreement.

I think we have to talk about a lot of things. For example, the Becks Run area. There hasn't been one dollar paid to the City of Pittsburgh in the form of any type of lease arrangement or rent. Why is that?

This agreement will also allow billboards to stand in "S" districts and "R2" districts, which is illegal by the Zoning Code. Why is that?

Have we given Patrick Media and POA just compensation? Maybe we have, but we have until August 19 to decide that factor. Judge Penkower has given the City of Pittsburgh, Patrick Media and the POA until August 19 to either sign or come back into court.

I believe we should resubmit this bill to Committee and use that time to have appropriate discussion on this bill.

Mr. Ferlo:

Mr. Chairman, I'm not sure that I agree entirely with my colleague, Mr. Ricciardi, but I

would like to make a motion to recommit the bill for further discussion.

Mr. Ricciardi seconded the motion.

Michelle Madoff:

It seems to me, if memory serves me well, that in the past when we've had this kind of litigation on various matters, I think the one that comes to mind is the Pirates, and there may have been one on the Steelers, I don't recall, that Judge Cappy literally came to this court, to Council, and explained both sides of the issue and why he was negotiating the contract in the manner he was.

I think we need some input that really sort of cuts through all the information we've had and gets right down to the bottom line and says, "This is what it's about."

My understanding, Mr. Ricciardi, is that I don't like billboards. But, as I said before, it's a little difficult to be a hypocrite when you've used them on occasion. I don't want to put an industry out of business, and perhaps they ought to be regulated because I think your quote is brilliant. Taking a ride, it's like walking through the Yellow Pages. We ought not to have that many billboards.

The Chair:

This is on the motion to hold.

Michelle Madoff:

But the point I'm making is, I don't know that we can, and I need some guidance on this.

There was a contract entered into and it's my understanding from Mary Conturo, good, bad or indifferent, that the City made a legally binding contract and that was what was pre-

sented to us. And that's why those of us who voted voted for this piece of legislation. We didn't vote because we want more billboards. We didn't vote because we want to impact a community. We voted because it's a fait accompli. It was something we had to live with. And if I'm wrong on that, perhaps one of my colleagues will correct me.

Mr. Ricciardi:

If I may, this contract, this agreement, is not settled at all and not signed by the City of Pittsburgh. They have until August 19 to sign this contract. Council must approve this contract first.

So, what I'm asking for is further discussion on this because last week's discussion was all about the zoning and I think we should take a step further, Michelle.

Mr. Regan:

I would like to add that I would like to hear further discussion because I think one of our jobs as elected officials is to always protect and represent the people that are unprotected and unrepresented.

I agree with my colleague here. Here is 20 houses and 40 people that have no representation but the honorable Councilman here and I'd like to hear more discussion on this because I'm not opposed to billboards either, but I think they're only asking for 50 by 100 feet and there's 3 miles of billboards in that area. I don't think that's asking for too much. And, again, I say we're representing people here that have no representation but his honor here, the Councilman from the South Side.

Mr. Ferio:

Mr. Chairman, on the motion to recom-

mit. If I have to vote today, I'm going to vote in favor of this agreement because I think it's the best deal we can come up with. I do support the motion to recommit because I think it's legitimate and fair for Council to discuss further some of the issues that Mr. Ricciardi raised, and I don't see it as a problem in terms of the timetable involved of us having to approve some arrangement by the August 19 period. We have everything to gain and nothing to lose by some further discussion and review of some of the issues.

Also, I think we should have a sight visit collectively so we understand first-hand some of the issues raised.

Mr. Cohen:

Mr. President, this is one of the most complicated bills that has come before Council, in this session at least. It involves, as Councilman Ricciardi said, really three different agreements, several different neighborhood groups, and years of negotiations.

I have read those agreements, attended the public hearing, and talked to parties on all sides and, if I had to vote today, I would vote for it too.

I think the fewer billboards the better for the City of Pittsburgh, but I think that these agreements, although they're not perfect, are good for the City of Pittsburgh because they do result in fewer billboards and also it preserves a few important views for the City of Pittsburgh like that beautiful view of Bloomfield from the Bloomfield Bridge.

Also, I think that by approving these agreements, it would not open us up to potential liability for the City of Pittsburgh.

But, they are incredibly complicated and

I don't have a problem with considering them further because I think that more consideration can only be better and only have the other Councilpeople, if necessary, or the public be more informed about these agreements.

So, I will vote yes for the motion to recommit.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES 1

(MR. COYNE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill was recommit-
ted.

Also,

Bill No. 973

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Rivers Abstract, Inc. in the amount of \$1,175.00 in payment of Title Reports on properties along Saw Mill Run Boulevard; and providing for the pay-

ment thereof."

Which was read.

Also,

Bill No. 996

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of John P. Place, Inc., 90 Clairton Boulevard, P.O. Box 10926, Pittsburgh, PA 15236 in the amount of \$2,000.00 in payment for services furnished for the benefit of the City in connection with the emergency repair of Pump #3 at New Highland Pumping Station; and providing for payment thereof."

Which was read.

Also,

Bill No. 997

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of One Hundred and Fifty-Nine Thousand, One Hundred and Sixty-One (\$159,161.04) Dollars and Four Cents for payment, without previous authority of law, to Calgon Carbon Corporation, Tom McConomy, President, for the emergency purchase of powdered activated carbon to treat river water during the recent oil spill on the Allegheny River, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1005

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with arbitrage rebate calculation for the City of Pittsburgh's General Obligation Bond Issues at an annual cost not to exceed \$5,000.00, subject to annual budget appropriations, chargeable to and payable from Code Account 1063, Index Code (106302) Miscellaneous Services, Department of Finance."

Which was read.

Mr. Ferlo:

I just want to clarify something I learned since the initial discussion. I support the notion that on this type of an expenditure, there should be something included in the letting out of the General Obligation Bond requirements. However, in this specific instance, I believe that professional consultant services are being requested by the Administration, specifically

because of the changes in the federal IRS code as it relates to calculation and arbitrage. So, in this instance, I think, at least personally, I believe we have to pull this legislation, although in principle, I agree with the point earlier raised at the Committee level.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES 2

(MR. COYNE AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 1006

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1007

A Resolution entitled, "Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1034

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Physio Control Corporate Headquarters, 1181 Willows Road Northeast, P.O. Box 97006, Redmond, WA 98073-9706 for an emergency purchase of Lifepak 10 Monitors with Pacemakers for use in

the Emergency Medical Services Bureau and providing for the payment thereof, in an amount not to exceed \$15,392.13."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. FERLO ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1064

Report of the Committee on Public Works for July 3, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 988

A Resolution entitled, "Resolution vacating Calera Street, from Baldwin Road southwardly 203.25' feet to a point by 40' feet; also reserving the 33" inch sanitary sewer line in the 31st Ward, Voting District 5, of the City of Pittsburgh."

Which was read.

Also,

Bill No. 989

A Resolution entitled, "Resolution granting unto David Sell of 3712 Orpwood Street, his successors and assigns the privilege and license to construct, maintain and use at his own cost and expense, a sanitary sewer on a portion of the right-of-way on Frazier Street and Booth Street in the 4th Ward, 3rd District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins:

In accordance with Section 322 of the Home Rule Charter, "Publication Effective Date of Legislation", I move that the Effective Date of Bill 989 shall be the date on which it is signed by the Mayor.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

Bill No. 1065

Report of the Committee on Planning, Housing and Development for July 3, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 990

A Resolution entitled, "Resolution further amending Resolution 1061, effective December 31, 1989, as amended, entitled, 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by changing two Controller numbers and adjusting the funds for one line item in the Capital Budget."

Which was read.

Also,

Bill No. 991

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for Economic Development Marketing and promotion services, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 992

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Albert LaMolinare, and designated as Block and Lot 13F-160 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 993

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 4th Ward of the City of Pittsburgh, designated as Block and Lot 29H-46 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning

Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 994

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David M. Sell and Sandra A. Sell for the sale of Block 29H Lot 46, in the 4th Ward of the City of Pittsburgh (NEW CONSTRUCTION)."

Which was read.

Also,

Bill No. 995

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John R. Dixon and Laverne L. Dixon for the sale of Block 13F Lot 160, in the 16th Ward of the City of Pittsburgh(SIDEYARD)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo:

In accordance with Section 322 of the Home Rule Charter, "Publication Effective Date of Legislation", I move that the Effective Date of Bill Nos. 993 and 994 shall be the date on which they are signed by the Mayor.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Coyne presented

Bill No. 1066

Report of the Committee on General Services for July 3, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 984

A Resolution entitled, "Resolution amending Resolution No. 28 effective February 4, 1986 entitled 'Providing for the letting of a Contract or Contracts, or for the use of existing Contracts, for the purchase, installation and programming of a bar code system for the City of Pittsburgh, Department of General Services' Warehouse, and providing for the cost thereof,' by adding the

following, Agreement or Agreements or for use of existing Agreements."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeable to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 987

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts and/or an Agreement or Agreements, or for the use of existing Contract(s) or Agreement(s) for the purchase of portable and mobile two-way radio communication equipment for the Pittsburgh Zoo, and providing for the payment thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 987, involving

the expenditure of \$24,000 to General Services account operating dollars to the City to pay for radio systems for the Zoo, I'm voting no on this because I believe that the \$24,000 should be paid for out of the Zoo Trust Fund and should reflect an expenditure and obligation on the operation of the Zoo. It's a hidden cost being taken out of operating dollars and therefore I vote no strongly on the legislation.

Michelle Madoff:

In the same vein, I consistently try to vote no on all Zoo bills, monies that do not come out of the trust fund.

Again, may I remind anyone listening to this program, and that's what it is, that three-quarters of the people that use the Zoo, the Aviary and the Conservatory are non-City residents and every year, while we pay the same admission fee as City residents as the suburbanites do and every year when we go to park, we pay the same fee. I believe now there's slight increase for suburban residents, the Users' Fee, which I pushed for.

The bottom line is that every year at budget time, we, City taxpayers, go into our pockets and pull out the debt service. And the last time I looked, a few years ago, there was a \$4 million deficit out of operating costs for the Zoo, Aviary and Conservatory. I think it was the Zoo alone. \$4 million.

We just can't afford to subsidize the suburbanites to that sum and we're not saying, and I'm not saying it's us against them or them against us. If they want to have a wading pool and charge us a tax when we go out to use it in the North Park, fine. But we no longer can afford these wonderful amenities without some kind of help on paying for these.

I think it is appropriate at this point to

please request an update on the dollars that have been expended out of operating costs for the Zoo and then the Capital Improvements portion that has come not out of donations from foundations, etc., but what the City has put out in matching funds for the Zoo and the expansion, and it is in the millions of dollars.

Again I say, give the Zoo as a gift to the County Commissioners. We'll make them a present. And if they don't want it, then we just don't operate it. That's not cruelty to animals; we start shipping them out. We send them out to somebody. If you send two animals from the Zoo to some other zoo, you'll see how fast the Commissioners will say, "No, no, no. We've got to keep that Zoo; it's wonderful." It's a wonderful thing but the City of Pittsburgh people cannot afford to keep that burden on their backs.

The Chair:

Let me remind Council that this issue is not an issue of who pays for the Zoo, County versus City. This is a simple allocation of operating dollars.

Mr. Regan:

I just would like to say this about the suburbanites. You know, if you scrub them down a little bit and hose them down, they're pretty damn nice people. They're Americans too. We talk about suburbanites like they're from another country. I love them. Bring me more suburbanites in.

Mr. Cohen:

Many of them are nice even before we hose them down. I agree with Councilman Regan.

I think the answer to this problem, which really isn't the problem before us on this bill, is

to have a cultural district, a cultural district that includes the Zoo, the Aviary, the Conservatory, and even Carnegie Library. The Pennsylvania Economy League is looking into this now and has numerous meetings and is coming up with the project for a cultural district in which the various municipalities and boroughs in the County would share in the expense of the Zoo, the Aviary, the Conservatory and the Library.

So, I support that and would like to see it move forward. Hopefully it will come before Council sometime soon. In the meantime, I don't think we should hold up operations of the Zoo in order to talk about that larger issue. So, until that happens, I think the Zoo needs to go forward.

Mr. Milliones:

May I ask, was the \$25,000 specifically appropriated for this at budget time last year?

Mr. Ferlo:

Mr. Chairman, in response to my initial concern, I didn't want to start World War III on the Zoo, and I already have a stated position on the issue of a State Cultural District and all that. That's not the issue. The issue right here is simply that the \$24,000 should be paid for out of the Zoo Trust Fund dollars and appear as an obligation and expense as a result of having to operate the Zoo, and I don't believe that it should be funded and paid for out of operating dollar code account. This was not a specific item that would have been reviewed during the budget period. So, it's appearing now as an expenditure. My disagreement is that it should come out of the Zoo funds and not come out of general operating dollars.

Michelle Madoff:

I wanted to set the record straight, if I

may. I am not taking on the suburbanites or saying that they are bad or good. I'm merely making the point, and I'm on this bill, that this \$25,000 is another payment by the City taxpayers to subsidize the non-City residents who use this wonderful facility. I want that on the Record and I was pointing out the numbers. We can't afford it.

The Chair:

We're going to vote on the bill but if it wasn't for those non-residents, we wouldn't have people at the Zoo and Phipps and the Aviary also. I think that needs to be put on the Record also.

Michelle Madoff:

True. Let the Commissioners subsidize it.

Mr. Regan:

I think one of the big problems here, I think we as Council have to put up some money to do a little bit more promoting to bring some more suburbanites in here. That's what I think we ought to do. I think we should put forth more monies to promote the City of Pittsburgh and I think we might get a ton of suburbanites in here which would really help us.

Mr. Cohen:

Maybe we should adopt a suburbanite.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5

NOES 3

(MR. FERLO, MICHELLE MADOFF AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1067

Report of the Committee on Public Safety for July 3, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1035

A Resolution entitled, "Resolution amending Resolution No. 616 of 1989 entitled: 'Providing for the filing of an application by the City of Pittsburgh with the Federal Government for a grant in connection with the National Institute of Justice, providing for the execution of a Grant Contract for the filing of requisitions and other data; approving the 'Drug Market Analysis Program' Project in Pittsburgh, Pennsylvania; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for

the deposit of funds in a bank account."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1068

Report of the Committee on Engineering and Construction for July 3, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 974

A Resolution entitled, "Resolution amending Resolution No. 705, effective August 29, 1988, entitled 'Providing for a Contract or Contracts,

or use of existing Contracts, for Street Tree Planting in Various Neighborhoods and Business Districts, and the Landscaping of the Martin Luther King Reading Room; and providing for the payment of the costs thereof,' by decreasing the total project allocation by \$304.00 from \$110,000.00 to \$109,696.00."

Which was read.

Also,

Bill No. 975

A Resolution entitled, "Resolution amending Resolution No. 669 effective August 25, 1987, entitled 'Providing for a Contract or Contracts, or use of existing Contracts for the Fall 1987 - 1988 Street Tree Planting Program in Various Community Development Neighborhoods; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$126.00 from \$50,000.00 to \$49,874.00."

Which was read.

Also,

Bill No. 976

A Resolution entitled, "Resolution amending Resolution No. 435, effective May 7, 1985, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the furnishing and installation of two (2) fitness courses, one able-bodied and one wheelchair sports, for disabled persons; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$10,595.00 from \$15,000.00 to \$4,405.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of COUNCIL being in the affirmative, the bills passed finally.

Also,

Bill No. 977

A Resolution entitled, "Resolution amending Resolution No. 706, effective August 19, 1986, entitled 'Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Boundary Street; and providing for the payment of the cost thereof,' by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 978

A Resolution entitled, "Resolution amending

Resolution No. 707, effective August 19, 1986, entitled, 'Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Panther Hollow; and providing for the payment of the cost thereof,' by providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 977 and its companion bill, 978, this involves the expenditure of \$25,000 for bridge inspection to a consultant for the Schenley Park Bridge. Several years ago when we approved several hundred thousand dollars for the expenditure of a bridge inspection truck, we were led to believe by the Administration that that would greatly reduce the amount of monies that we would have to spend each year on bridge inspection. I think this is another good example of a bridge that should be routinely inspected by the bridge inspection team that we have in-house in E & C, moreso because when we do the inspection, we can incur a reimbursement from the State for those dollars. I see no reason for us to act as a pass through for state dollars just because they're available. We have an in-house budget, an in-house bridge inspection truck, an in-house bridge inspection team, and we can be reimbursed for state dollars. I think that's what should happen and I'm voting no on these two bills.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 979

A Resolution entitled, "Resolution further amending Resolution No. 1095, effective November 12, 1981, as amended by Resolution No. 835, effective October 10, 1984, entitled, 'Providing for a Contract or Contracts for Concrete Step Construction and Reconstruction - various locations, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$8,517.96 from \$450,000.00 to \$441,482.04."

Which was read.

Also,

Bill No. 980

A Resolution entitled, "Resolution amending Resolution No. 806, effective October 4, 1984, entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Center for the

Arts to implement the design of modification to the Center's facilities for the removal of architectural barriers for the handicapped; and providing for the payment of the costs thereof,' by decreasing the total project allocation by \$3,469.17 from \$20,000.00 to \$16,530.83."

Which was read.

Also,

Bill No. 981

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Various Repairs to the Grandview Overlooks; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 982

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with the N.B.I.S. Update Bridge Safety Inspection of the Fort Pitt Boulevard and Market Street Bridges; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 983

A Resolution entitled, "Resolution Repealing Resolution No. 681, effective August 25, 1983, entitled, 'Providing for the acceptance by the

City of Pittsburgh from the Lhormer Real Estate Agency, Inc., of certain property, Block and Lot 114-H-365, in the 27th Ward of the City of Pittsburgh adjacent to Brighton Heights Park, at no cost to the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1071 Communication from Sophie Masloff, Mayor, informing Council of the appointment of John J. Sciallo, 336 Gross Street, Pittsburgh, Pennsylvania 15224, to the Urban Redevelopment Authority Board for a term to expire December of 1992.

Which was read, received and filed.

Also,

No. 1072 Resolution appointing Willard C. Shiner, 153 Hartwood Drive, Pittsburgh, Pennsylvania 15208, to the City Planning Commission for a term effective immediately and to expire January 1996.

Which was read.

Mr. Regan moved to approve the appointment of Mr. Shiner.

Michelle Madoff seconded the motion.

Michelle Madoff:

I know Willard very well. He's going to be a tremendous asset.

Mr. Regan:

I'll withdraw my motion and let the Councilwoman make the motion.

Michelle Madoff:

It doesn't matter.

The Chair:

If it's the will of any member of Council to bring Mr. Shiner in front of Council, is there any discussion? If there's not, I will accept a motion to approve.

Michelle Madoff:

I would like to make the motion to approve.

Mr. Regan seconded the motion.

Mr. Ferlo:

Mr. Chairman, along with this appointment which I wholeheartedly support and I applaud the Mayor for making the appointment, I would ask also that we communicate to the Administration and inquire as to what the other terms of office are of the Planning Commission members.

With all due respect to some of the members, some of them have been on the Commission for up to 20 years. Some of their terms are due. There are other members of the Commission that personally I don't support being on the Commission and I'd like to know when and if some of these other terms are up.

WHICH MOTION PREVAILED.

Mr. Cohen:

Mr. President and Members of Council, on the issue of historic district designation, I want to take a moment to first commend the Planning Department for hiring a firm to study the whole issue of historic designation and the current legislation on the books.

I think the legislation is seriously flawed so I want to first commend them for doing that but, at the same time, I'm very disturbed by the length of time that the study is going to take. The Director of the Planning Department was quoted as saying that the study would take 8 to 12 months. I think that's just far too long. Everyone knows that a Planning Department projection of 8 to 12 months means probably 2 years before the thing is completed. I think that we need a much quicker process than that.

First of all, it's not that difficult a study, in my view. The answer, I think, is fairly obvious in that we need conservation districts. It has been done in other cities like Providence, Rhode Island, like Norfolk, Virginia, and I think it would be helpful to have an amendment for con-

servation districts here in the City of Pittsburgh. A conservation district is more neighborhood-based, it's less restrictive property rights in certain instances, and I think it would have more neighborhood support.

There have been three major historic district controversies in the last year. One is Shady-side West, another is Fourth Avenue, and the third one we're about to address in the next couple of days, and that's Allegheny West. We have a public hearing on Thursday. If we wait 1 to 2 years to complete this study, then it will be far too late and most of the key historic areas in the district will already have been addressed by this Historic Review Commission, the Planning Commission and City Council.

So, I think we need to move quicker and I'd like a letter to be sent to the Director of City Planning asking that this study be completed in a more reasonable time period and, in my view, that would be 3 to 4 months as opposed to 8 to 12 months. I make that as a motion.

Mr. Ferlo:

I second that for purposes of discussion.

I sympathize with many of the concerns raised by my colleague, Mr. Cohen, and in fact we've had discussions mutually in the past about the experiences in other cities for a conservation district or a so-called preservation district which I'm still inclined to support.

I think he has raised a good point because we have before us several important decisions to make over the next few months regarding historical designation.

One of the realities, though, of a long-range study I think needs to happen is the participatory process that needs to take place, the involvement of small business community, of

individual residents, of issue groups, of advocacy groups. It's a really convoluted and difficult process and, while I agree with him, there needs to be an expedited review of this and a draft of some type of revisions to the existing ordinance. If not, as Mr. Cohen has talked about and I support, the notion of some type of a conservation or preservation district. However, I would not in any way want to abort that kind of work that needs to go on by the consultant and it's a very laborious effort to go out and have those kinds of meetings and what not.

So, if there's a way that we can balance and expedite a review and work by the consultant and at the same time not curtailing that kind of elaborate process of citizen participation, it's quite a juggling act but I would hope that that would be reflected in the memo to Planning.

Mr. Cohen:

I would take my colleague's comments into account and maybe we shouldn't specify a specific time period. I definitely want it to be a public process but it doesn't have to be a year to two years long, that's for sure.

So, I would like City Council to send a letter to the Director of City Planning saying that this should be an expeditious process.

WHICH MOTION PREVAILED.

Mr. Ferlo:

On two unrelated issues, very briefly, Mr. Chairman. It has to do, I thought initially, with the ordinance that we passed on the issue of the no wake zone but I think it's an unrelated issue and maybe I'm the only one who has been getting calls into my office. But it has to do with either actions by the Police Department or River Rescue or Public Safety regarding the mooring of boats at the Point which are no longer being

allowed to dock there.

I don't really understand the issue fully but I would like to ask that a letter go to the Director, or whoever it is who took these actions regarding the boating problem down at the Point, and get a response on what exactly did take place regarding the limiting of the prerogatives of boaters to dock at the Point and the surrounding area.

I know I've gotten a lot of calls and I'm probably not alone on this and maybe you could shed some light on it. But I don't think it has anything directly to do with the ordinance that was passed a week ago and maybe we could get an explanation.

On the second matter, Mr. Chairman, I'm not in favor of anyone in my Council district to be unemployed, but in Director Cannon's case, I'd have to make an exception.

It's no secret that I am certainly an opponent of the merger of the Public Safety Department and I've tangled many times with the Director in the past and probably many times in the future. But I don't know how we can sit silently and I don't know how the Administration can be silent, if they are, on the actions of Director Cannon regarding the last few days.

All of us went through an elaborate effort to reform the Trial Board which I think overwhelmingly we supported except for changes that were originally a part of the bill involving the Personnel and Civil Service Commission. We got through that process and I think the Administration acted, and the Mayor specifically, not only showed leadership but acted in good faith with the Legislature, with this Council, with the Police Union in particular, and with the rank and file in particular, by saying that we need to engage in a process to reform the Trial Board.

I was led to believe that that was going full steam ahead, and I think it has been, and I think there are clearly now admonitions by the Administration that they have failed to report back certain documents to the FOP to being that process.

I was very excited at the appointment of Mayer DeRoy as the new Police Chief and I thought I'd recognize the willingness on the part of the Mayor and the Administration to say, "Hey, we've had some problems but we're now going to straighten things out", and I fully have put my support behind the Police Chief. And if the Police Chief came here tomorrow and said, "We have a problem; I want to get rid of 100 officers", I'll be the first one to back him up in whatever his judgment is. I trust his judgment.

He has come to me in the past on budget problems in the last two years. He modified or changed my position after I understood the issue better. He's a credible man. He has leadership. I think he knows what the problems are, and I think he should be given an opportunity.

I think it's a slap in the face to the new Police Chief to have the kinds of interactions and pronouncements by Director Cannon, which are completely off the wall and inappropriate. I stand behind the Police Chief. I think we should allow him to lead that department and make the changes he needs to make, be they disciplinary, be they public pronouncements about the FOP, whatever the issue is. But I think we have a responsibility and I would hope that they Mayor would see that her responsibility is to back up her newly appointed Police Chief.

And as far as I'm concerned, Director Cannon should go look for another job.

The Chair:

I would like to respond to your first issue on the boating.

I've also received numerous complaints from people complaining about boats not being permitted to be docked at the Wharf. That has nothing to do with the legislation. I think boats should be able to stop as they traditionally have been there, certainly not to dock for any length of time. That is a State Park and it's not a permanent docking facility for boats. But we also need to have an explanation from Public Safety as to what has changed in terms of enforcement of existing laws there just recently in comparison to the past.

So, I would ask the City Clerk to please send an information gathering letter to Public Safety in that regard.

Michelle Madoff:

On that issue. I found it very enlightening to hear about the boat that was overturned right outside my window at the Point and thought, thank God for your legislation. And this nonsense about we're interfering -- You can never have too much legislation to protect the public's safety and I hope that Council, if they haven't seen that article and didn't know what happened, would review it.

I understand you're going to grant the public hearing after the fact, but I hope we won't back off or weaken in any way on that legislation.

On another item. Last night, I went to a meeting on Mount Washington, people who live in a new building, the Tri Mont, asked me to come over because there is pending legislation on zoning. It is a very bizarre kind of zoning. They went through Planning where the area is sort of drawn up very peculiarly and there was no notification given to the community.

The reason I mention Mount Washington is if it happens in Mount Washington, it could happen in the North Side, it could happen in Bloomfield-Garfield, it could happen anywhere, South Side, a lot of development going on.

It seems that Mr. Jim Brown who is really a favorite of mine in the Administration called and told the people, "Oh, I forgot about it and I just remembered this morning" the day of the hearing on Planning. That is totally unacceptable. There has to be significant notice to affected communities, affected residents in the community that there is going to be a zoning change. You can't say, "Oh, I forgot to do it."

Now, I want an explanation which I will seek from Mr. Brown personally and I will pursue the issue. But the reason I'm telling you about it is that if it happened here, it's going to happen, or has happened, everywhere. We need to address this kind of perhaps spot zoning that is taking place. We all need to attend that hearing which I believe takes place on the 26th of July. I'm going to try to delay that hearing because there was not significant appropriate notice given to the residents. No one got any notice before it went to the Planning Commission and I just want everybody to be aware that those kinds of things happen.

On another matter. We go to budget hearings very shortly, in the next couple of months. The Administration will be giving us their budget prior to our going to budget hearings. Once again, in almost my 13th year, there is no communication in advance between the Administration and the Legislative body of this Council.

I would like to plead, again, with the President of Council, the Finance Chairman, Mr. Millions, to please try to set up a series of

meetings, casual, informal meetings, with the Administration so that we can work together because I believe that we're facing some financial fiscal problems. We're heard rumors from Mr. Turner that we may have a \$50 million shortfall in taxes.

I don't want surprises at the end of the year. I think we all need to be aware of what might be happening and how we want to address it and there are items such as the piece of legislation that came before us the other day that was bizarre. There were two pieces of legislation lumped together, one under \$10,000 and the other in excess of \$10,000 for expenditures on materials and equipment. Sort of a charge account to General Services. Those bills would not have to come before Council.

I think we need to discuss this kind of thing. I think we need to discuss the \$40,000 that I tried to give, and this Council approved, to C-TAC. They didn't want to take the money and what kind of job have they been doing to help individual communities plug into the system.

There's so much to be discussed. There should be an agenda drawn up; there should be a number of informal meetings. I think this is probably the most responsive Administration in being receptive to ideas of Council in the years that I've been here.

I'd like to take it one step further. Let's meet before budget hearings and let's talk about what could possibly be happening so that the public is aware and certainly Council is aware before whatever happens happens.

I make that in the form of a motion that the President will speak to the Administration and set up a series of meetings.

Mr. Ferlo seconded the motion.

The Chair:

I would just like to add that we are in the process right now of setting up a general budgetary session with Mr. Turner and all of Council. It's an informative type of session just so everyone is on the same plane in terms of the budgetary process.

Michelle Madoff:

Then maybe, since I didn't know that, my crystal ball is a little clouded and I didn't see that we were going to do it and nobody told me, but that's exactly what I think we need to see and I don't know how that meeting originated, was it with you, Mr. President, or with Mr. Turner. It's a very positive move but I think one meeting isn't going to do it. I think we're going to need to have two or three and it doesn't need to be a request any more; we can just request it when we meet. When is that meeting to take place?

The Chair:

Soon. Within July.

Michelle Madoff:

Because we're out of session pretty much in August. I take vacation in August.

The Chair:

Before the end of July.

Mr. Regan:

Mr. President and Members of Council, I'd like to personally thank the Dead Heads for making a fast exit out of the City of Pittsburgh.

I'd like to thank the Grateful Dead for putting on a great performance. I only felt bad that I can't dance that well or I would have been

right in there with them. It looked like they busted a time capsule and took us back 20 years.

But I'd just like to thank them. They put on a great show and I'd like to commend the Police and Mayer DeRoy and the Fire and the Paramedics for the terrific job that they did.

I'd also like to make a statement about the statement that was made about the 10 to 15 percent of bad police in the City of Pittsburgh. I totally disagree with making any kind of numbers or percentages for any section of our community.

I'd also like to talk about the Pittsburgh Marathon and one Larry Kuzmanko who is getting bombarded at this particular time.

The economic impact, he started with a zero promotion, a young guy full of energy, a super flat-footed hustler who has done a tremendous job for the City of Pittsburgh. The impact on our economy has been estimated between \$8 million and \$10 million. The spectators that showed up at some of these events were in the neighborhood of 250,000. Along with this, we had neighborhood festivals in almost every community in the City of Pittsburgh along the Marathon route.

He put on the Pittsburgh Children's Marathon which is free to children 6 and under which has as many as 3,000 participants which included over and above that 6,000 parents and approximately 4,500 grandparents. I think this is of great educational value to the kids in the City of Pittsburgh.

He put on sports medicine clinics to promote fitness, health and awareness, and it also encouraged neighborhood participation.

Also, he assisted in Special Olympics of Allegheny County and raised over \$50,000 for

1987 through 1989.

He assisted the Pittsburgh Police Department in their Handcuff Run which raised revenues for a memorial to officers who have given their lives in service to the community.

He also raised \$20,000 for medical research for the deadly disease that killed our great Mayor, Richard S. Caliguiri.

He also assists the City of Pittsburgh in National Night Out, a safety awareness campaign in which we finished in the top 4 twice.

The annual St. Patrick's Day Run up the USX Tower steps which brings another 400 additional people into the City of Pittsburgh.

He assisted and put together a three day health and fitness expo in Downtown Pittsburgh.

He assisted in Pittsburgh's Great Race with athletes and expertise.

He helped neighborhood groups promote health and fitness in Bloomfield for three days in which 1,500 blood pressure tests were taken, 1,200 diabetes test.

He assisted Presbyterian University Hospital and Case Western University with medical research projects.

From 1985, it went from dead zero to six successful marathons. Pittsburgh, in their budget for travel and entertainment, is nine percent which, out of that money, it brings people from all over the world, namely Russia, Portugal, Ireland, Canada, Finland, Poland, Germany, New Zealand, Czechoslovakia, Mexico, and even suburbanites, into the City of Pittsburgh. In fact, they even brought one Mike Buzby from Yuma City, California when they were ranked last by

Rand McNally.

The New York Marathon, according to Alan Steinfeld, Technical Director, spends 19 percent of budget for travel and entertainment compared to our 9 percent. Los Angeles, according to Dr. Bill Burke, spends approximately 18 percent of budget for travel and entertainment, twice the amount of money that we spend.

We played host and it was fantastic for the Women's Olympic Trials here in Pittsburgh. We have the number one race in the world for prize money for women and I'm sure my colleague, Michelle Madoff, would appreciate that.

They're audited once a year by Ernst and Young and they're also audited by an independent auditor and the records are public.

I would like today to make a motion that we keep Larry Kuzmanko as President of this great event which has done a lot for the City of Pittsburgh until such time that we can have a post agenda meeting, which I would like the President to call for next week, and bring all parties to the table so that we can straighten out and iron out any problems that we have with this Marathon.

Thank you very much.

The Chair:

Okay, we have two items on the floor. We have a motion to show our support for Mr. Kuzmanko, and Mr. Regan is requesting that I set up a post agenda. Let's deal with the first motion first. Is there a second to Mr. Regan's motion?

Mr. Ricciardi seconded the motion.

Mr. Ferio:

The original motion Mr. Regan made, which I'm not sure we can, is that we retain him. It's not our prerogative. I think what we want is a letter of support, a show of concern for Mr. Kuzmanko. On the issue, I'll second the motion.

I really don't understand what is going on. I read the newspaper articles and it seems as though the Administration is engaging in petty and peculiar politics as it relates to Mr. Kuzmanko. I know Larry over the years, he's a friend of mine. I know of the event over the years. I've worked at the neighborhood level, interacting with the Marathon, and it seems as though it's been a great event and a great event for our City, let alone the important work that Mr. Kuzmanko has done.

All of a sudden out of the blue, we have all this petty nonsense going on and if there is any substantive issue that the Administration needs to engage in, they have the power to interact with this Board and with Mr. Kuzmanko directly.

I don't understand how this has blown up into such a petty and peculiar political activity and, personally, no one has a worse sense of humor than Terry Woodcock in the Administration. If that's what this whole issue is about, I can't even believe that this has pre-occupied the KDKA 6:00 news and the Pittsburgh Press and I'm sure there will be editorials and everything of the sort.

The Administration has responsible members on the Board. I think it's important that we recognize the tremendous resources, private sector resources that Mr. Kuzmanko and this event have generated for our City. It's a world-class international event and I can only see everything good about it. I'm completely perplexed and puzzled as to what I've seen and read and viewed on television and the newspaper in the last few days.

So, if we're asking to show support for Larry Kuzmanko and/or the organization, I'd be the first to say yes, absolutely.

Mr. Coyne:

Mr. Chairman, I would like to agree with Councilman Regan's comments. I have known Mr. Kuzmanko for a couple of years and I've had the opportunity to run in two Pittsburgh Marathons and also to be involved with him on the governmental level and on the level as a spectator watching this event.

I think he has done an exceptional job. To me, it seems as if people are nitpicking for him right now for some reason that isn't clear. As he states today in the paper, it's easy for the Administration or for people to make general comments and put him on the defensive; however, it's hard for him to try to answer his criticisms that he doesn't really know where the grounds are coming from.

So, I would like to support Councilman Regan's position and to give my full confidence in Mr. Kuzmanko.

The Chair:

I'd like to make a comment. I will vote in support of the motion. I agree with mostly everything that has been said. The Marathon, from what I understand, was Mr. Kuzmanko's idea, and it truly has brought international recognition to the City of Pittsburgh literally for pennies, and we're talking about a marketing effort of promoting the City.

He has been, to my knowledge, receptive to changes that can and should occur with the Marathon going back to three years ago when this Council actually put a motion on the floor to change the date of the Marathon from

late May to early May due to weather conditions. The marathon did that.

He has been out of the controversy recently that involved other special events, and the Marathon has indicated that they would cooperate with City government in regard to it.

He has been receptive to changes and his peers appear to respect him very much from other cities.

What concerns me about the whole issue is that there is a public discussion going on that should not even be going on, and I don't think it reflects well on the Marathon in general or the City of Pittsburgh. I would like to see it over and done with as of today and that Mr. Kuzmanko remain as the Executive Director.

Mr. Regan:

I'd like to urge Larry to get a haircut and be here next week for a post agenda.

Mr. Ferlo:

First of all, I don't care if he grows his hair down to his behind. That's not the issue.

But the other thing I think is important, as you pointed out, Mr. Wagner, I can't think of any other event that is public in nature but has generated more private dollar participation and support and has done more to promote the City. I think we have a valuable treasure here not only in the event, in the Board, Mr. Kuzmanko, whatever, and I think we have to safeguard that.

It's very disappointing that all this stuff is out in the media and it's much to do about nothing. I think we're discouraging and sending wrong messages to those in the private sector who contribute to such a worthwhile event.

Michelle Madoff:

I think it's inappropriate for us to even being putting fuel on the flames to have this discussion. This is the kind of thing that I was alluding to before about interaction between Council and the Administration.

Like Jim Ferlo, I don't know what it's all about and I'd like someone to tell me. I don't think we should be having a vote here to support somebody when I don't know what the issue is.

I don't think we should have a post agenda. I think we should have a meeting with the Administration and be briefed. We're briefed on a lot of things that we don't know about and we're briefed on things we already know about. This is one I know nothing about and I don't think I should be voting in a vacuum.

Mr. Regan:

I say we're voting on the success of this event and ask that we show our support for the guy that made it happen.

The Chair:

We're voting purely on the will of Council, as Mr. Regan's motion indicated.

Mr. Coyne:

Mr. Chairman, I agree with Councilwoman Madoff's statement that we really don't understand the issue. However, I do feel it's important that this body take a stand saying that as individuals and, I think, collectively, we've all had dealings with Mr. Kuzmanko and we're real pleased with the job he's been doing.

And if it's going to come out in the media that the City government, through the Administration's appointees to the Board, are having

questions about Mr. Kuzmanko, I think it's just as important for us as a body to say that we have confidence in him and, as Mr. Ferlo said, let it go out to the private sector that this body has no questions, or at least I have no questions, with the way he has managed the Marathon. And I have full confidence that he can continue doing a successful job in the future.

Michelle Madoff:

Excuse me. There were two motions. The second one is to have a post agenda and that's the one I'm opposed to.

The Chair:

We'll deal with that after.

Michelle Madoff:

Okay.

The Chair:

Is there any further discussion the motion to support Mr. Kuzmanko running the Pittsburgh Marathon?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion was approved.

The Chair:

On the second point for Mr. Regan to have a post agenda next week and requesting me to run it, I am not going to do that because I think I am adding fuel to the flame of a public discussion in regard to this controversy. I agree with Councilwoman Madoff in that regard. It is still the will of anyone to do that with a post agenda, but I personally will not do it and I will not partake in it.

Mr. Regan:

I think when they're making allegations such as they're making about this gentleman, I think it should be brought out in the open. This guy has the right to a fair and impartial hearing which can only be held in public and can only be held by him having the chance to defend himself. That's the American way. To dodge the issue doesn't help.

The Chair:

I think Council has just sent a strong message of support on behalf of Mr. Larry Kuzmanko, with your motion, Mr. Regan.

Mr. Regan:

Yes, sir, Mr. President.

Michelle Madoff:

It seems to me that I don't think the message we're trying to give Mr. Regan here is that we don't want to give somebody the right to be heard and defend themselves. I just think there's a procedure. The first thing is that we ought to

be on what the issue is because I don't know. And then, if it is appropriate, that we have a public hearing and I would support him.

Mr. Regan:

We damn near had a public hearing in the newspaper and on TV. We might as well bring it in here. Give the guy a chance to defend himself.

Mr. Cohen:

Point of Order, Mr. President. Will we be voting on the question of a post agenda or not?

The Chair:

No. There is no need for a vote on the post agenda.

Mr. Regan:

You're refusing, Mr. President? Is that what you're saying?

The Chair:

The procedure for a post agenda is that any Councilmember can call a post agenda. I am personally not going to be involved.

Mr. Regan:

Okay, I'm calling for one.

The Chair:

Fine.

I'd like to mention and remind Council that we have a 2:00 public hearing in regards to cigarette vending machines.

And finally, I'd like to state because it was stated by Mr. Ferlo, I support Director Cannon as Public Safety Director. I think he has shown leadership over the years and all of us make minor errors in public statements, including myself and yourself, and everyone else in government. I don't think what was said over the weekend or yesterday is enough to say that he should not be Public Safety Director. I think he has shown leadership over the years and, quite frankly, I support him.

Michelle Madoff:

I would like to add something to that. It takes a big person to say, "I misspoke myself; I didn't mean what was said." and he has recanted what he said. I think that's much to his credit.

Michelle Madoff moved to approve the Minutes of Tuesday, July 3, 1990.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

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No. 29

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, July 17, 1990

PRESENT:

MR. COHEN
MR. COYNE
MR. DARKINS
MR. FERLO

MICHELLE MADOFF
MR. REGAN
MR. RICCIARDI
MR. WAGNER
(Pres't)

ABSENT:

MR. MILLIONES

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

I'd like to ask Mardi Isler and Margaret Tyndall to come up, please.

Mr. Cohen presents

No. 1106 WHEREAS, in the United States of America more than half of all mothers with children under six are in the work force and approximately 70% of these mothers work full time; and

WHEREAS, working mothers make a significant contribution to family income and are indispensable to the economy of our nation; and

WHEREAS, the current lack of affordable, high quality child care threatens the health and development of our children and causes undue strain of working parents; and

WHEREAS, the Act for Better Child Care Services ("ABC Bill"), now pending before the United States Congress, would dramatically expand parental choice by increasing the supply and variety of local child care services; building a diverse system of child care providers with high standards of health and safety; paying the full cost of care for many of the lowest income families; and helping families of moderate income on a sliding fee scale basis; and

WHEREAS, the ABC bill would commit 2.5 billion dollars to developing a national child care system sensitive to local needs and available to children of both low and moderate income families; and

WHEREAS, by making the federal government a full partner with the states, the ABC bill would be particularly beneficial to Pittsburgh and Pennsylvania, both of which are in the process of devising and funding child care programs; and

WHEREAS, the ABC bill is a wise investment of our nation, for parents in the work force, and for our children's social and intellectual development as future productive American citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the President and the Congress of the United States to enact the Act for Better Child Care Services; and

BE IT FURTHER RESOLVED, that the Clerk of the City of Pittsburgh is authorized and directed to transmit a duly certified copy of this resolution to the President and to the Pennsylvania delegation in the Congress of the United States.

Mr. Cohen moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Cohen:

I have with me today Mardi Isler of the Employers and Child Care Program which is a program working in conjunction with the Chamber of Commerce, and Margaret of the YWCA Child Care Program.

I just wanted to take a moment to say that this really is a critical issue for the future of Pittsburgh and for the future of the country. Now that we have more and more working mothers in the work force, we have to really address the needs of quality child care.

As many of you out there know, it is practically impossible to juggle the demands of work and family and I think this bill would help working parents to juggle those demands, especially for moderate and low income families.

I also want to take this opportunity. It's gratuitous because yesterday the Mayor proposed a child care program, and I want to commend the Mayor for doing that. I think it will be a good opportunity for all of us to address the child care issue and to see where the City of Pittsburgh should go from here.

With that, let me turn the microphone over to Margaret Tyndall.

Ms. Tyndall:

Thank you. My name is Margaret Tyndall and I am Executive Director of the YWCA of Greater Pittsburgh. On behalf of the YWCA, I would like to thank City Council for passing this important child care resolution as introduced by Councilman Dan Cohen.

As the local management agency for Title 20 day care funds, the YWCA is keenly aware of the child care crisis that confronts us in this country today. Some may be surprised to know that the United States would be the only industrialized nation in the world without a national child care policy if it were not joined by South Africa in having that distinction. This fact is very disturbing in and of itself, but when we look at it in the light of the findings of a recent research commission report, it is even more

shocking.

The research project requested by the Federal Health and Human Services Department, the Ford Foundation, and the Foundation for Child Development, was chaired by John L. Palmer, a Dean at Syracuse University. Among the findings were the following: Every working day the majority of American parents entrust the care of their children to others. By the year 2000, approximately 90 percent of the nation's school aged children and 70 percent of preschool children will have mothers who are working or seeking work outside the home.

Currently, the majority of U.S. children receive care that is below generally recognized standards of quality.

By the end of the 1980s, 30 percent of federal child care dollars went to low income children compared to 80 percent in 1972.

The Comprehensive Child Care Bill, now crawling its way through the Senate House Conference Committee, would begin to address these concerns. We support this legislation as a start in the right direction.

President Bush threatens to veto this bill and gives as one of his reasons his belief that the legislation is fiscally irresponsible. The \$1.75 billion called for in the legislation will cost every American \$7 in 1991. In that same year, Americans will pay \$11 for MX Missiles, \$22 for Stealth Bombers and \$84 to bail out the Savings and Loan industry.

This is a kinder, gentler nation. Thank you for being a kinder, gentler City Council. We trust that your commitment to child care will be further manifested by your support of the Mayor's proposal to require space for day care in buildings in the City of Pittsburgh and that you will move quickly to approve it. Thank you.

Ms. Isler:

My name is Mardi Isler and I'm the manager of the Employers and Child Care Program on behalf of the Chamber of Commerce.

The Chamber of Commerce obviously is interested in child care because it is one of the support systems that draws top notch employees and business to a community. It is a system very much like a school system that has to be in place in order to attract the best and the most qualified of our work force. It is seen as a competitive issue. It is seen as an issue for the next century for bringing Pittsburgh into this century with a quality work force. It's not only that the children in care are now at risk if the quality of care is not sufficient to meet their needs and to allow them to grow and develop, but it's also developing those children and their skill levels so that they will be the work force of tomorrow.

It's for these two reasons that the Chamber of Commerce has been working with City Council, with the Mayor's Office, and will continue to work to increase the supply and improve the quality of child care in the Pittsburgh area.

I certainly thank Councilman Cohen for bringing this issue. It's wonderful to have Pittsburgh on the record as supporting it. Thank you again.

The Chair:

Thank you.

Mr. Ferlo:

I'd like to ask Mr. Schneider and his parents and Jim Westlager to come forward from the Paramedics Union to move a resolution which was less controversial when I initially agreed to introduce it a couple of weeks ago.

Mr. Ferlo presents

No. 1107 WHEREAS, the Pennsylvania Emergency Health Services Council annually honors an individual paramedic who has contributed to the development and growth of paramedicine in Pennsylvania; and

WHEREAS, Mark S. Schneider received "The Paramedic of the Year Award" from the Pennsylvania Emergency Health Services Council at Pennsylvania's thirteenth annual Emergency Medical Services Conference, which was held on June 22-24, 1990, in Harrisburg; and

WHEREAS, Mark S. Schneider has been a paramedic with the City of Pittsburgh for over ten years, and is a member and past President of the Fraternal Association of Professional Paramedics (Pittsburgh Chapter); and

WHEREAS, Richard D. Flinn, Jr., Executive Director of Pennsylvania Health Services Council stated "Mark S. Schneider has been a leader in the advancement and professionalism of paramedics in the Commonwealth, and we are very pleased to recognize him as PEHSC's Paramedic of the Year."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Mark S. Schneider for his achievements in paramedics, and congratulates him for his receipt of "The Paramedic of the Year Award" for 1990.

Mr. Ferlo moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. I'd like to have Mark say a few words but before I introduce Mark for his recognition from Council, I'd also like to have recognition of the parents who I think are an important part of this. Mr. and Mrs. Schneider are here also today. And maybe Mr. Westlager, a paramedic here in the City and President of the Fraternal Association of Professional Paramedics, would like to say a few words. At this time, I'd like to call on Jimmy Westlager.

Mr. Westlager:

Good morning, Mr. President and Members of Council. Mark Schneider has been instrumental in the development of important legislation here in the Commonwealth of Pennsylvania that affects all of us, not only the residents of the City of Pittsburgh but all across the Commonwealth. Mark is involved in many, many different aspects of legislation as well as different important concepts and ideas that are being implemented today.

We are happy to have Mark being recognized as Paramedic of the Year. He is the first paramedic in the City of Pittsburgh that has had that honor and we are very pleased.

I'm glad that Council has seen fit to have the resolution passed and I thank the President and Members of Council.

Mr. Schneider:

Thank you for awarding me this resolution. Thank you, Mr. President and Council. It's a great honor to be recognized by the State and the City of Pittsburgh.

I hope that the good things that can come out of this will only be the things that are remembered. It's a shame that so often good things are often forgotten. I was the unknown

paramedic until this snafu and I really appreciate the great honor.

I want to make mention of the fact that I only accept this in the name of the men and women who are the EMTs that are the constant providers, the Paramedics of the City of Pittsburgh. The people who care about Pittsburgh now are being cared about by Pittsburgh. Thank you.

The Chair:

Thank you all for coming.

Michelle Madoff:

Would Rosemary Palmer please come forward? It is a privilege and an honor to present this resolution to Rose Palmer. We do this every year and maybe the day will come when we won't need the service of Rose Palmer. We're working to eliminate the need.

Michelle Madoff presents

No. 1108 WHEREAS, there are over 52,075 children under age 18 in Allegheny County living in a fragmented family; and

WHEREAS, these children are being deprived both financially and emotionally by their parents by denying them either financial support or access to the non-custodial parent; and

WHEREAS, these children experience a different emotional trauma than the adults because the children lose something that is fundamental to their development - the family structure; and

WHEREAS, the children of the fragmented family learn their world is one place in which trust in reliability of relations has been

shaken, especially those that are more fundamental and intimate.

NOW, THEREFORE, be it resolved, that the Members of Council of the City of Pittsburgh hereby recognize July 22-28, 1990 as "Child Support Awareness Week" in the City of Pittsburgh in an effort to bring to the general public the awareness of the needs of the children of a fragmented family and hereby commend SUPPORT, Pittsburgh's nationally recognized organization, which is dedicated to assist these families and their children so that the children receive both the financial and emotional support they deserve from both parents.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

I think it is interesting to note that this is the week that we are really being concerned about our children's well being and that Sophie Masloff, our Mayor, did indeed introduce the concept of having day care centers mandated or part of the zoning ordinances of new structures. And I think that the move to put it into the Safety Building to show that we are in the forefront is a very positive indication that we really are finally recognized that women go to work. You know, we always say, "Working women need wives." You men don't realize how wonderful we are.

Ms. Palmer:

I'd like to thank you again for recognizing this week as Child Support Awareness Week. Child support means both the financial and emotional support of the children of divorce. Studies as recently as the Wallerstein and

Blakeslee studies of the children of divorce has shown 15 years after a divorce, these young adults are unable to commit themselves to a significant other person or even to hold down a stable position.

There are 50 percent of first marriages ending in divorce and 72 percent of second marriages ending in divorce. This is creating many, many victims, mainly the children.

Allegheny County has been recognized as the leading county in the nation in collecting child support. Allegheny County collects more child support the most states. But still, we have too many non-compliance orders and there's too many children not seeing their other parent. We divorce one another; we don't divorce our children.

I handed out some letters that we recently received on some of the work we've been doing, as well as our last newsletter, and we've been working on the inner-state problem as far as inner-state child support and how it's impossible to fight child support when the parent lives out of state or even out of the county.

We have a lot of problems that we have to deal with. SUPPORT, since our inception, we've grown quite a bit since we've got our funding, and our funding came mainly from City Council at the very beginning, and I thank you a great deal.

We've added the visitation program where the children can see their other parent in an environment that is safe to them. We have the child support program. We've created a law student program where certified law students can represent the clients in court. We have a mediation program. We also have agency referral and attorney referral for those clients who can afford private legal counsel. Most of our clients are indigent. They're on welfare, minimum income or

low income families.

Again, it's only through you, City Council, that you've made this all possible and I thank you ever so much.

Michelle Madoff:

I might add that on numerous occasions I've had occasion to send to Rose and support Rose Palmer and people who really have been abused and who are having problems resolving their marital support for their children. She has been wonderful and the group has been wonderful.

Mr. Robison:

I want to tell one little story to underline the various facts and figures we got from Rose.

As I was coming over here this morning I saw in the street one of Rose's staff people, Robin. She was walking to court with one of the SUPPORT members. I commented to Robin that I was on my way here for City Council observing Child Support Week and the woman walking with Robin said, "Oh, you mean this is the week? Maybe after a year and a half I'll finally get something."

That's the situation despite the national leadership that has been offered by the courts in Allegheny County, by SUPPORT and by this City Council. We still have the situation where, "You mean this is the week?" Let's make it every week. Thank you.

Mr. Coyne presented

No. 1073 Resolution amending Res. No. 1061, eff. Jan. 1, 1990, as amended, entitled: "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and

approving the 1990 through 1995 Capital Improvement Program," by increasing a line item (EC 369) by \$175,000.00 from \$450,000.00 to \$625,000.00. Due to the accelerated maintenance and renovation program of various play areas throughout the City, we are increasing this line item.

Also,

No. 1074 Resolution amending Res. No. 326, eff. April 3, 1990, entitled: "Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Play Areas, including but not limited to 52nd Street Court, the 57th Street Court and Heldman Playground; and providing for the payment of the costs thereof," by amending the title to include the Renovation of Kennard Playground and by increasing the total project allocation by \$175,000.00 from \$450,000.00 to \$625,000.00, chargeable to and payable from Code Account 3-13-72-0001-90, Index Code #814905, "1989 Project Fund."

Which were read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1075 Resolution providing for the issuance of a warrant in favor of Milton G. Holt in the amount of \$575.00 in payment for appraisal services in connection with the proposed relocation of the Carrick Branch of

Carnegie Library, (Council District No. 4), payable from Code Account 4-13-89-2110-89, Index Code #594846.

Also,

No. 1076 Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$3,645.00 for the installation of an electronic security system at Bloomfield Recreation Center in Council District No. 8, payable from Code Account 4-13-74-0002-88, Index Code #323055. (PRIOR APPROVAL GRANTED)

Also,

No. 1077 Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of \$34,585.47 in partial payment of an Emergency Contract to perform repairs on Clarence Street between Greenleaf Street and Well Street in the 19th Ward of the City of Pittsburgh, payable from Code Account 3-13-30-0001-90, Index Code #813808, "1989 Project Fund".

(PRIOR APPROVAL GRANTED)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1078 Resolution further amending Res. No. 1210, eff. Jan. 1, 1984, as amended, entitled, "Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program," by creating a cost range of an existing line item. This amendment will create a cost range of \$50,000.00 or more, but less than \$100,000.00 for Design Services in connection with the Replacement of the Edgebrook Avenue Bridge.

Also,

No. 1079 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Replacement of the Edgebrook Avenue Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation, at a cost of \$50,000.00 or more, but less than \$100,000.00, chargeable to and payable from Code Account 4-13-05-0440-84, Index Code #306159. This bridge is located in Council District No. 4.

Also,

No. 1080 Resolution amending Res. No. 235, eff. March 13, 1987, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for Electrical and Lighting Rehabilitation at Fort Pitt Ballfield and various other locations, and providing for the payment of the cost thereof," by decreasing the total project allocation by \$102,261.73 from \$280,000.00 to \$177,738.27.

Also,

No. 1081 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas, including but not limited to Olympia Ballfield, at a cost range of \$10,000.00 or more, but less than \$25,000.00, chargeable to and payable from Code Account 4-13-68-1410-88, Index Code #353755.

Also,

No. 1082 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Fall 1990 Street Tree Planting Program at a cost range of \$25,000.00 or more,

but less than \$50,000.00, chargeable to and payable from Code Account 4-13-74-0001-90-036-90-13, Index Code #600304."

Also,

No. 1083 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Construction of Bonair Basketball Court located in Council District No. 4, at a cost range of \$10,000.00 or more, but less than \$25,000.00, chargeable to and payable from Code Account 3-13-72-0077-90, Index Code #814954, "1989 Project Fund".

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1084 Resolution providing for the transfer of funds totalling \$113,000.00 from various City Department Code Accounts to Code Account 1132-7, Index Code 113274, Utilities, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1085 Resolution transferring the amount of \$5,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation. --- (SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Finance.

Also,

No. 1086 Resolution providing for an

Agreement or Agreements with the Western Pennsylvania Police Athletic League, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation. —(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Parks and Recreation.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced to the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 1087 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Services Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violation thereof.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1088 Resolution amending Res. No. 35, eff. Feb. 1, 1990, providing for an Agreement or Agreements with a Consultant or Consultants for payment of services and expenditures for the activation and

implementation of the "Map Updating and Land Records Management Program" in the Department of City Planning, at a cost not to exceed \$230,000.00 by also providing for a Contract or Contracts in form approved by the City Solicitor or the use of existing Contracts, and specifying the services and expenditures in greater detail. Chargeable to and payable from Code Account CP 90-214.

Also,

No. 1089 Resolution amending Res. No. 42, eff. Feb. 19, 1989, as amended by Res. No. 393, eff. May 11, 1989, providing for an Agreement or Agreements with Consultant(s) to provide equipment software and aerial photographic products for a Land Records Management System, and obtain programming, system data base design, system management and training services related thereto, and to computerize records and base maps therefore, and providing for payment of the cost thereof, by also providing for a Contract or Contracts, in a form approved by the City Solicitor, or the use of existing Contracts. Cost not to exceed \$305,000.00, chargeable to and payable from Code Account CP 89-84.

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff for Mr. Milllones presented

No. 1090 Resolution amending Res. No. 894 of 1989 entitled: "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of

Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account," by increasing the amount available for subcontractor agreements by \$60,000.00, from \$900,000.00 to \$960,000.00, chargeable to and payable from the JTPA-2 Trust Fund.

Also,

No. 1091 Resolution providing for the authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participants of the Pittsburgh Partnership Employment Program, at a cost not to exceed \$52,000.00, chargeable to and payable from the 1990 CDBG Program, Dept. of Personnel and Civil Service Commission (PC-314), Project #4-85-01-0003-90-373-90-85 Trust Fund, Index Code 604108.

Which were read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced to the bills will be on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 1092 Resolution providing for an Agreement or Agreements with P.B.A., Inc. The Second Step for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1990-1991, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account No. 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1093 Resolution providing for an Agreement or Agreements with various agencies for job development and employment services in connection with the Neighborhood Employment Program, at a cost not to exceed \$150,000.00, chargeable to and payable from the 1990 CDBG Program, Dept. of Personnel and Civil Service Commission (PC-399).

Also,

No. 1094 Resolution amending Res. No. 605, Item H, eff. June 13, 1990, which authorized the sale of property in the 25th Ward, being a 2-1/2 story, brick, detached house and a 1 story, concrete block storage building situated on a lot containing 3,300 square feet together with a very small vacant lot containing 800 square feet, located at 1525 Monterey Street and 1512 Wolpert Way, designated as Block 23 E, Lot 270 and Block 23 J, Lot 51, to Robert A. Sandall and Sharon L. Sandall, Joint Tenants with rights of Survivorship but not as Tenants in Common. The reason for the above amendment is to correct the spelling of the purchasers name to read Robert A. Sendall and Sharon L. Sendall, Joint Tenants with rights of Survivorship but not as Tenants in Common.

Also,

No. 1095 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1096 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 1097 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13, by changing: From "S" Special, "M2" Limited Industrial; and "M4" Heavy Industrial Districts to "R2" Residential, "C2" Commercial and "S" Special Districts certain properties located along BECKS RUN ROAD and BAJO STREET between EAST CARSON STREET and PARKWOOD ROAD in the 16th Ward.

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1098 Resolution that the City Treasurer, the Chief of Building Inspection, and the City Zoning Administrator, on behalf of the City of Pittsburgh, are hereby authorized and directed to, within ten (10) days of final passage

of this resolution, begin a comprehensive review of all properties in the City of Pittsburgh which serve as sites of outdoor advertising.

---(SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for the consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair presented

No. 1099 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning Bill No. 1056, to repeal Council's appropriation of \$195,000.00 for the hiring of a consultant to study the structure of the Pittsburgh Bureau of Fire.

Which was read, received and filed.

REPORTS OF COMMITTEES

Michelle Madoff for Mr. Milliones presented

Bill No. 1100

Report of the Committee on Finance for July 11, 1990 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 871

A Resolution entitled, "Resolution authorizing the Mayor to enter into an Agreement or Agreements with the Pennsylvania Department of Environmental Resources for grants to be paid to the City in connection with the City's recycling program."

Which was read.

Also,

Bill No. 1022

A Resolution entitled, "Resolution transferring \$3,000.00 from Code Account 1480, Premium Pay, Index Code #148007 to Code Account 1488, Repairs, Index Code #148809 and \$3,000.00 from Code Account 1480, Premium Pay, Index Code #148007 to Code Account 1490, Equipment, Index Code #149005, all accounts within the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 1024

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1026

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of One Thousand Nine Hundred and Thirty (\$1,930.63) Dollars and Sixty Three Cents for payment, without previous authority of law, to Varieties Unlimited, Inc., Beverly Dodson, President, for the purchase of bill stuffers for the Remote Meter Installation program, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Michelle Madoff
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
 (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1027

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

—(SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 1028

A Resolution entitled, "Resolution providing for the transfer of funds totalling Twenty-Eight Thousand and Five Hundred (\$28,500) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water, Administration, Department of Water, to various Code Accounts, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Michelle Madoff
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
 (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1029

A Resolution entitled, "Resolution providing for the transfer of \$125,000.00 from Code Account 1977 (197707) Utilities, Purification & Pumping Division, Department of Water, to Code Account 1927 (192708), Refunds, Administration Division, Department of Water."

Which was read.

Michelle Madoff:

On Bill 1029 referring to a transfer within line items in the Water Department, while in a sense it's not right on the bill I'm going to abstain on the basis that I think that we should be collecting our delinquent accounts. I haven't seen that since I did the audit last July. I know we have a new director and I want to give that person time, but I'm not going to give tacit approval to continuing not collecting the millions of dollars outstanding uncollected water bills.

So, I will abstain on that bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1032

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Section 263.02(b)(2), and (c) by correcting the date when the first quarter and annual payments are due."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1033

A Resolution entitled, "Resolution providing for the issuance of a \$768.00 warrant in favor of American Rent A Ride, Inc. in settlement of claim for automobile damage and providing for the payment thereof."

Which was read.

Michelle Madoff:

On Bill 1033, with reference to American Rent-A-Ride, I think the City ought to buy American Rent-A-Ride because it would be very profitable and I'm going to vote no.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the majority, the bill passed finally.

Also,

Bill No. 1038

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mt. Lebanon Office Equipment Company (1817 Banksville Road, Pittsburgh, PA 15216) in the amount of \$2,492.90 for the purchase of office furniture for City Council without previous authority of law, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, etc. (Index Code 100115)." --- (SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1039

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bernie's Photo Center, Inc. (525 East Ohio Street, Pittsburgh, PA 15212-5593) in the amount of \$1,079.10 for the purchase of photographic

equipment for City Council, without previous authority of law, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, etc. (Index Code 100115)." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also, with a NEGATIVE recommendation,

Bill No. 953

A Resolution entitled, "Resolution providing for Agreements with Patrick Media Group, Inc., POA Company, Bloomfield-Garfield Corporation, the Bellefield Area Citizens Association and the Polish Hill Civic Association relative to settlement of certain litigation relating to billboards and construction of the Bloomfield

Bridge, and providing for conveyances by the City of Pittsburgh of certain properties, and providing further for certain payments not to exceed \$24,549.50."

Which was read.

Mr. Ricciardi:

Mr. President, on Bill No. 953 which is the agreement between the City of Pittsburgh, Patrick Media Group and the Pittsburgh Outdoor Advertising Company. I first became involved with this bill because I believe that we needed a zoning change, a rezoning in the Becks Run area, in order to fully protect the 40 residents of that neighborhood. I believed then and I believe now that the rezoning of the neighborhood should occur before we approve this agreement. As a matter of fact, the City of Pittsburgh Planning Commission has addressed that concern in their April meeting of this year. Unfortunately, it was to be continued and for some reason that I find very peculiar, the discussion has not come up yet. I believe there is a reason for that, that if the zoning goes through, it fully protects the residents of the Becks Run neighborhood, but does not fully protect the interest of Patrick Media Association.

I also made gestures towards the Patrick Media Group concerning 100 feet on Becks Run, 100 feet that would not be part of the agreement not be given to the Patrick Media Group. That 100 feet would keep the community's garden, keep the community's flagpole, and remove two billboards that are adjacent to two homes. I made this offer through our City Solicitor's Office and directly by me. Unfortunately, it was denied. In one case, it was denied because the group believed that they had the votes on Council so they would like to run with the bill.

The more I began to study the exchange agreement, Mr. President, as I've said in the past,

I believe the agreement is a rip-off for the taxpayers. I believe it's a giveaway of City-owned property and a giveaway of nearly \$25,000 in cash.

I also believe it's a bailout, a bailout for the past leadership of the Law Department and Planning Department. I believe that the agreement of November, 1986, which was drafted by the Law Department, was an illegal zoning contract, as ruled by the Zoning Board of Adjustment. And I believe the past leadership of the Planning Department did not effectively negotiate for the taxpayers but instead gave out a sweetheart deal.

Just to remind my colleagues, July 2, 1987, the Zoning Board of Adjustment, under the Chairmanship of Joseph Mistick, ruled that the November 30, 1986 agreement is an illegal zoning contract. That concept has also been upheld by the Pennsylvania Supreme Court in the case Carlino versus Whitpain which says that local governments cannot contract away the police power of zoning. If we stop now, billboards cannot go up on Bigelow Boulevard. That is illegal contract zoning. As a matter of fact, if we approve this agreement, we will have more billboards in the City of Pittsburgh. The illegal billboards on Becks Run and Greentree Road will be able to stay.

I think we should begin to negotiate through strength instead of weakness. I do agree that we owe just compensation for the Pittsburgh Media Group and POA for the six parcels of land on Bigelow Boulevard. But, as Mr. Specter said in the Law Department, we don't know what that value is because we have not done the appropriate appraisals.

How can we give away City-owned property, make commitments for certain variances scattered throughout the site, make illegal billboards on Becks Run and Greentree Road

legal, without knowing what we owe. We're giving away a lot, and we have no idea what we really owe.

I'm asking my colleagues not to establish a 2-tier system of fairness in the City of Pittsburgh. We demand our constituents to pay their fair share of taxes. We demand our constituents to pay their fair share of rent on all lease arrangements. And we demand our constituents to apply for the proper permits either to build or to expand.

So, I'm saying, that same system of fairness should apply to a large business interest. They should pay their fair share of taxes. They should pay their fair share of rent on all lease arrangements. And they should also be required to obtain the proper permits for all billboards scattered throughout the City of Pittsburgh.

It's our responsibility to do our very best to protect the 40 residents of Becks Run neighborhood, the blue collar working residents, because if this agreement can shaft that neighborhood, it could also do the same for other small neighborhoods without much influence. It could also do the same for neighborhoods such as Overbrook, such as Esplan, such as Fairywood, such as Troy Hill. And I'm also asking the representatives, my colleagues south of the river, that this is pitting neighborhoods against neighborhoods. If you study the exchange agreement closely, you'll see that we're getting the billboards and you will also see that those illegal billboards will stay south of the rivers. And they should be removed.

Al Capone paid taxes and Al Capone paid rent on lease, but the thing is, he didn't pay his fair share. Patrick Media Group should pay their fair share the same way we demand our constituents to do the same.

So, I'm asking my colleagues to either

recommit this bill or to vote it down. Thank you.

Mr. Cohen:

Mr. President, I respectfully disagree with my distinguished colleague from the South Side on this bill. We probably had as much discussion about this bill as any that has come before City Council. And after reading all the agreements and the Zoning Board decision again last night for the tenth time, I'm convinced that this is the right thing to do for the people of Pittsburgh.

This is a settlement agreement and, like any settlement agreement, it is not going to be perfect for either side. Nobody is going to get exactly what they want.

What I'd like to do first is take out the non-issues, the issues that aren't before us today, and those are the zoning of Becks Run Road, first of all. I support the rezoning of Becks Run Road in order to compliment more the residential neighborhood rather than have it industrial. I sat through the entire public hearing and heard from the residents of Becks Run Road and I completely agree with them. We have to rezone that area. And everybody agrees with that. That's not an issue before us.

Secondly, taxes. I wholeheartedly agree that Patrick Media and Pittsburgh Outdoor Advertising ought to pay their fair share of taxes, more taxes than they are now. No question about it. That also is not before us today.

Let's talk about what is before us today. This whole mess began with the construction of the new Bloomfield Bridge. At that time, the City removed many signs at the juncture of the Bloomfield Bridge and along Bigelow Boulevard.

What the City did at that time, let's go

back in time for a moment, what the City did was allow Patrick Media to rebuild those signs, to rebuild them so as to block that beautiful view of Bloomfield, to build them along Bigelow Boulevard, and that was a terrible decision by the City. In fact, at that time, two billboards were actually rebuilt at that point to block the view. Thank goodness for the neighborhood groups that spoke up. And because they did and opposed that agreement, the case went before the Zoning Board of Adjustment and, under the helm of Joseph Mistick, the Zoning Board held that it was contract zoning and held that it was illegal.

So what did the City have to do at that time? What was their choice? Well, they really had three possible options. One was to allow Patrick to build those billboards. That's what they decided initially. They didn't do that. Thank goodness; it would have been a terrible decision.

The second possible option was to condemn that land under the powers of eminent domain, and to pay Patrick what it cost for that property. Now, my colleagues have said that we don't know what that dollar amount is, and I agree with them. We don't. But we sure as heck know that it's a lot of money. It's probably in excess of \$500,000, and if you're talking about a ripoff of the taxpayers, it would be a true ripoff of the taxpayers to pay a half million dollars to Patrick Media, and that would result here.

The third option is to sit down and to try to reach a settlement agreement, and that's what happened here.

This settlement agreement is far from perfect. As I said, neither side is getting exactly what they want. But it is better than those other two choices for these reasons: It results in a net reduction of billboards for the City of Pittsburgh, there's no question about it. I don't like

billboards. They obscure the beautiful views in the City of Pittsburgh and what this does is result in a net reduction of billboards.

Moreover, it could save the City taxpayers \$500,000 or more, what it would be required to pay Patrick Media for the property that they own. My colleague thinks that a transfer of \$20,000, which is what this agreement involves, is a ripoff to the taxpayers. \$500,000 is a heck of a lot more.

And as far as the four billboards that the City says it won't oppose, and that's where the real problem lies here, we have to remember something. Patrick Media still has to go through the necessary process to get zoning variances and I and any other person who would like to should go and oppose those four billboards being put up.

So, that's the result, in my view, if we do approve these bills. Now, what is going to happen if we don't approve them? If we don't approve this agreement, we're going to go back to court, not once, but definitely twice and perhaps three times. First, to litigate the appeal of the Zoning Board decision, remember, the Zoning Board held the first agreement to be contract zoning. It's now on appeal before Judge Penkower. If we don't approve these agreements, we go back to court.

Secondly, we're definitely going to go to court over the question of how much to pay Patrick Media if we don't approve these agreements. The City would condemn that land under eminent domain, and then we get in a big fight over how much that land is worth. The City Solicitor's Office has said that it's worth in excess, more than, \$500,000.

So, when we look at history, there's no question, in my mind, that it's better to go along with this and to approve this agreement. This

whole mess began in 1984 with the first settlement agreement involving this property. We have spent thousands upon thousands of dollars litigating this issue, money that could be better spent for other purposes to help the people of Pittsburgh.

Do we really want to go back to court and litigate this issue? Do we want to spend more taxpayer dollars on it? No. I think after 6 long years, it's time that we put this issue behind us and move on to City business.

Mr. Ferlo:

Mr. Chairman, Mr. Capone from Chicago made his money off of illegal drug sales and alcohol and prostitution and numbers. And whether I have a personal opinion about the aesthetics of billboards, I think it's completely unfair to convey to the public any sense that Mr. Capone's operation being illegal and notorious is in any way representative of the billboard industry today.

Patrick Media, and I concur with Mr. Cohen, let's separate out some of the issues, Patrick Media in fact does pay about \$200,000 a year in various taxes. They do that and if there's any indication that they're not doing that or not paying the appropriate sums of money, then we have systems in place in City government for auditing and that kind of information should be conveyed to the appropriate City directors in Finance.

Patrick Media pays over \$50,000 a year in annual license fees to the Building Inspection for sign inspection, and we know for a fact in this Council that Building Inspection does not go out and inspect every sign. Building Inspection acts on a complaint system. If there's a complaint, they go out and do it. So, in fact, that's actually a hidden tax to the billboard industry that we are actually receiving money for.

Mr. Cohen made the point that the only ripoff ultimately, which I concur with, to the taxpayers, will be in the sum of a half million dollars which I think in reality we will end up paying out of our pockets if this is an issue that goes to the court of law.

If a highway goes through, and no better example than the East Street Valley Expressway, if we take property, at some point we are going to pay the piper. The State took homes in the early part of the East Street Valley and got them real cheap. Smarter residents in that area held out and they made close to \$300,000, \$400,000, \$500,000 for property that wasn't actually even worth that much.

So, in the end, the ripoff will be the amount of money that this Council, if we are derelict in our duty by not approving this agreement, will end up paying to Patrick Media ordered by a court of law. I don't think that's a reasonable thing for us to carry that burden, especially when we have basically what amounts to be a compromising, a give and take, a meshing of interest on the part of the neighborhood groups, those three specifically who challenged initially, the neighborhood groups City-wide.

The billboard industry is an industry just as much as any of us would be upset if Nabisco closed or Clark Candy closed or a company in the South Side closed. There are a lot of blue collar workers who work in the billboard industry, have legitimate jobs, union-paying jobs, and some of them even live in the South Side. I think they have a right to work in a local industry.

I think the issue is, how do we, over a period of time, put some rational planning and zoning and the actions of the Board of Adjustment and the actions of City government, to regulate the industry and do what we need to do over a period of time. We can't have an on-

slaught on the affairs of the billboard industry because they're aesthetically displeasing. If we want to talk about pollution, we should attack the newspaper industry. They contribute over 30 percent of the landfill costs, ending up being garbage and pollution in the City system.

So, let's be fair about what we talk about in terms of these lofty comments about local industries.

The issue is, is the compromise agreement reasonable and fair. Overall, I'd say it is. Overall, it does result in a net loss of a number of billboards. Overall, it represents a compromise on the part of local industry in giving up a number of boards that they will be allowed to have, and I think that's something that's fair and reasonable and I think we have an obligation to approve this agreement.

I think we can take some actions in the future regarding a zoning consideration, be it in Becks Run area or anywhere else in the City. But I would think that it's important to note, Mr. Chairman, at this time, that through natural attrition in this industry, each year this industry loses billboards. Some of us would agree that maybe that's a fortunate thing and that should happen. But, in fact, because of loss of consideration, loss of property, highways, construction, properties being sold and new properties coming online for development where they don't want a billboard. So, there's actually been a natural attrition each year in losing the number of billboards in this City and I think that progress should proceed.

Michelle Madoff:

I'm going to try not to repeat what has been said because I think it's been done very eloquently. I share many of the concerns of my esteemed colleague, Mr. Ricciardi, but I also think that Mr. Cohen who is an attorney and who I

trust, and Mr. Ferlo, outlined many of the pros and cons and the realities of what we're confronted with. But I disagree in part with all of you, even though I respect what you have to say.

This is a contract where we're choosing between bad and worse. We're locked into a Catch-22. No matter what happens, this Council will look bad and we're going to look bad because we're going to be perceived as saying, "Wowee, billboards." Well, the fact is, I have a 20 year history of being an environmentalist and I don't think, "Wowee, billboards." although I used them in my last campaign and so I don't want to be a hypocrite. But I would like to see billboards not so close together and it is a fact no one can refute that when you have communities, particularly low-income communities, impacted with billboards, you destroy the ability of that community to bring itself up by the bootstraps. So, when we find out that roads or development happen and billboards go, I don't cry about it, even if I won't have a place. I'll put my ads in the newspapers instead of on billboards.

What are we confronted with? The situation is really very clear. A contract is a contract is a contract and we're caught between paying more and having more billboards and really defeating what the public wants which is eliminating many of the billboards or dragging this out to the courts for a very long time.

So, I don't think we have very much choice but I think somethings need to be made clear. I just spoke to the representative of the billboard people and, indeed, you'll be happy to know, Mr. Ricciardi and the people listening, that they will give the 100 feet to the citizens. They will move the billboard back 100 feet. Is that correct? Nod your head. Thank you. So, we now have it on the Record that a head was nodded by the representative of the billboard people and the 100 feet will be made available.

The issue of Becks Run Road and the rezoning. I believe that this is a new day, the beginning of this year and a new Council, and I can say that because I've lived through hell with other Councils. And so far, it isn't exactly Heaven, but it ain't bad. We agree in principle on many things and there is a commitment, and I think it is a unanimous commitment, to rezone the Becks Run Road project. And while I agree with Mr. Ricciardi, it would be nice if that was already in place. It isn't, but we need to know that that will be in place immediately, as soon as possible.

So, I would like to request, if I may, with the permission of the President, that that be scheduled immediately, that at the first possible moment that we will be addressing that issue. And you have my pledge, you've already heard other people on Record saying that they support it, so I think that is a fait accompli.

Now, the next thing. Let's get to the real issue here. Everybody's posturing, and I guess in a sense I am too. I'm caught between a rock and a hard place. We're saying that we don't want billboards but we want this contract, those of us who are supporting it. And so let's get on with the issue. Let's not dwell in the past. What is, is, and what has happened, happened. What are we going to do now? That's really what the public is looking to us for. Leadership. We've got to be leaders.

I've sat through more hearings on billboards than you can shake a stick at. Let us schedule another one and let's deal with specifics. Let's deal with the spacing of billboards, the impacting of billboards in low and moderate income areas which keep them from bringing themselves out of the mire, and let's deal with the most important thing that's new for me.

I want, and I've already asked Mr.

Specter for it, not how much do two people pay \$360 a month for billboards. I want every dollar for the last ten years of what was paid to the City for billboard rental, by whom, and if it wasn't paid to the City, who was it paid to because there's a question of who owned the property, whether it was the City or whether it was private. Maybe it shouldn't be 10 years; it should into Statute of Limitations I guess. That would be more intelligent. Maybe we're going to find that this money that we're giving to Outdoor Advertising may be negated by what they owe us. That's what we need to know.

I think all this dialogue has been led in part, I guess, by Mr. Ricciardi has been very beneficial because we're now going to bring out a very serious issue and get right to the heart of the issue, not what was, whether we should honor the contract, but what are we going to do to correct the problems that have been created by billboards.

With your leadership, Mr. President, I hope that we will immediately address did they give the money to the City, why wasn't it collected, how can we get it, how much did the Outdoor Advertising people owe, who owes whom, and when can we get this money and how much is it and how will it offset this contractual agreement. I think if we do those things and start to address some of the issues of billboards in another sense, I think we'll be further ahead.

The last word, my colleague, Mr. Ferlo, you know, there are a lot of things that make money. The drug industry makes money. Pushing money for those kids who can't make money any other way. We don't always say let's have something because it provides jobs. I mean, we have to look at the overall good of the community. The overall good of the community is not to have billboards on every corner.

Mr. Regan:

I like when my lofty colleagues throw those big numbers around like \$500,000 or \$600,000. You know, there's an old saying on the North Side, "Forget about the \$200,000, just give me the buck and a half you owe me."

This is a poor neighborhood and they've never gotten their buck and a half. They'll never see \$200,000; they'll never see \$500,000. But we owe them their buck and a half.

There are certain neighborhoods that are dumping grounds and have been dumping grounds since time. You know, you talk about blue collar and working people over there, there's a lot of unemployed and retired people living in that neighborhood. You have 40 defenseless people over there that have nobody to fight for them but Mr. Ricciardi and I admire my colleague for going to war for them. I think he's doing the right thing.

There's a lot of neighborhoods that they think they can just ride through and throw trash out the window, they can just say what they want, wind down the window and say what they want to the women walking down the street, because it's not a fancy neighborhood. They're working people or maybe they're poor women or women that don't have the money to dress like the fancy ladies do. I admire my colleague and I'm saying that the problem here is 50 by 100 feet and if you can't give this neighborhood 50 by 100 feet, then we have a problem in American, not only in Pittsburgh.

I will vote yes if an agreement is signed to give them 150. If not, I will vote with my distinguished colleague, Mr. Ricciardi.

Mr. Ricciardi:

Very briefly, Mr. President. I'm sure you want to wrap up the comments and get the

vote out.

I would just like to say respectfully to my colleagues that I see the lobbying efforts of the Patrick Media Group were very successful and that we accepted the rhetoric of the Law Department. I'll just take a moment.

This agreement will not be a new reduction of billboards in the City of Pittsburgh because after it's approved, the 20 billboards on Becks Run and Greentree Road can stay. If this agreement is not approved, the 20 boards come down. That is a net reduction.

Also, we keep throwing around \$500,000, \$600,000. Seventeen billboards did cost us \$500,000. Five parcels of land, we don't know what that number is. We're voting on an agreement when we have no idea what we might owe Patrick Media Group and POA. Those appraisals have not been done. And the threats of the billboard industry, and I see the rhetoric came up here and it was also tossed to me the amount of taxes that they pay. I'm talking about fair share taxes, not the amount of taxes. And the threats that they have employees that live in the South Side is just a threat and it doesn't mean anything to me because we have to do the right thing. How can we vote in a vacuum when we don't know what those five parcels of land are worth? We have no idea. If we had that number, then we're in the ballgame. As Mr. Regan said, we don't know if it's a buck and a half or \$200,000, so what can we offer our other neighborhoods?

So, I thank my colleagues for their time, and I also thank them for letting me recommit the bill last time 8-1. I thank them for their negative recommendation and, no matter how the vote goes now, I just want to thank my colleagues for giving me the time to express my views for the people of Becks Run.

Mr. Darkins:

Mr. President, I would like for it to be a part of the Record. I heard my very distinguished first lady here in Council say about billboards, especially Patrick Media or any of the rest of them. I'm not opposed to billboards.

My consumption of this whole thing was because of Councilman Gene Ricciardi and I feel that as a body here in Council we have individual differences in things that we're endeavoring to do. On my first vote, I did so because I think Councilman Ricciardi does an excellent job on the South Side of Pittsburgh and so many people from that area come to my church where I'm the Pastor of that congregation. They're so pleased with him and when this matter came before me, I was concerned because of Councilman Ricciardi, his Council district, as well as I would like the colleagues here should I have something that would come before Council. That was my concern.

I'm not opposed to Patrick Media. I'm not opposed to any of these billboards, wherever they might be because if we do away with billboards, then I can't even advertise my church. So, I'm not opposed to it.

Mr. Cohen:

Mr. President, I know we want to vote on this and I'm going to move that along very quickly. I also respect, very much, Councilman Ricciardi's position and his work for that neighborhood and I think we should do everything we can for that neighborhood in terms of zoning changes and anything else that we can do to move that along.

I disagree on the question of whether or not we know how much that land costs. What we do know is how courts decide how much land like this costs and what we do know is how much

was paid for this land. So, we can figure out fairly closely from those two things that this land is going to cost hundreds of thousands of dollars. And that's what it comes down to.

We are asked to make tough choices and I wholeheartedly agree with Councilwoman Madoff; this is a choice between bad and worse. I agree. We have to make the tough decisions and I think our responsibility is for the entire City of Pittsburgh and that's the reason that I support these. I am no friend of the billboard interest; that's for sure. And I think we should look to restrictions down the line of billboards and how we can make sure that there are as few as possible in the City of Pittsburgh. But when we're confronted with the question between bad and worse, we're going to have to go with bad. That's why I support this.

The Chair:

I think there has been some good, healthy debate on this issue within Council, in a respectful way which I think reflects very well on Council. And I also think that out of the issue has grown the issue of rezoning. The other bill that Mr. Ricciardi has introduced today, a comprehensive review of all billboards, which will be on the agenda tomorrow for discussion as quickly as possible, and the commitment for the 100 foot area in the neighborhood. Without the debate and the recommittal, I'm not so sure that all that would have occurred. So, I compliment Mr. Ricciardi and others for the healthy debate that has existed.

Michelle Madoff:

The thing that disturbs me, and I hope I don't get my colleagues' backs up, is that everybody is saying that everybody is doing a wonderful job representing their community. May I remind my colleagues that we don't represent just a community. We represent everybody.

And I would hope that that message would get out because whatever we vote on any district, as Mr. Ricciardi has stated, affects everyone. But I hope we don't come off as being so parochial that we forget that if the general fund doesn't survive, no community will survive.

Mr. Regan:

I would like to say that I represent the people of Pittsburgh first and my neighborhood second. But, there are certain neighborhoods that have been dumped on for years and other neighborhoods that have gotten the best of it for years. Don't ever lose sight of that fact either.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ferlo
Mr. Coyne	Michelle Madoff
Mr. Darkins	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MR. REGAN AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1101

Report of the Committee on Public Works for July 11, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1023

A Resolution entitled, "Resolution authorizing the Mayor, the Director of the Department of Public Works and the Pittsburgh Water and Sewer Authority to execute an Agreement with the Borough of Greentree to permit the Borough of Greentree to drain sanitary sewage into the City of Pittsburgh sewage system.

Which was read.

Mr. Ferlo:

Discussion on Bill 1023. Just very briefly, I'd prefer that we not vote on this because I think it's wrong for us to approve this agreement for sewage for the Borough of Greentree until we actually know what the fee is going to be. We've had a history in this City of problems associated with negotiated fees in relation to sewage over the years and I think the Director has the power to go out and begin the negotiations, but the final bill that comes to Council should have the fee listed so we can discuss it. That's why I'm voting no on the bill.

Michelle Madoff:

I have the utmost faith in this particular director. There is a standard policy on what we charge, there's a formula that has been established and I don't think it will change for this item.

My concern was, didn't we have the capacity to absorb the sewage and yes we do and I will vote yes.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1102

Report of the Committee on Planning, Housing and Development for July 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 899

A Resolution entitled, "Resolution providing for

an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 900

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program."

Which was read.

Also,

Bill No. 949

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Based Organizations and for community and economic development planning assistance in various neighborhoods in the City and providing operating support for groups undertaking community economic development through the Pittsburgh Partnership on Neighborhood Development, in an amount not to exceed \$495,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1025

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh, for professional services relative to the implementation of a Scholarship Fund, for the benefit of the residents of the Housing Authority of Pittsburgh, at an amount not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304), Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1030

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Westgate Community Development Corporation, for the benefit of the residents of Pittsburgh, at a cost

not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MICHELLE MADOFF)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 1103

Report of the Committee on General Services for July 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 985

A Resolution entitled, "Resolution providing for the letting of contracts and use of existing contracts for the materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1991, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 986

A Resolution entitled, "Resolution providing for the letting, during the calendar year 1991, of contracts and for the use of existing contracts, for the maintenance, rental, rehabilitation, renovation, inspection, or servicing of personal property, bonding, insurance, printing and other related services and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

Mr. Chairman, 985 and 986 I believe are companion bills and they relate to the dialogue that we had here the other day on General Services requesting annual approval again, the right to handle contracts and purchase of materials under \$10,000 and in excess of \$10,000 for a total somewhere of \$20 million.

I had asked the City Clerk to please distribute to my colleagues the 1986 dialogue that

took place with reference to this legislation. I don't know if everybody read it, but I think if you did you might find it enlightening. Let me just take a few quotes out of it if I may.

"Michelle Madoff:

What are the total dollars we use in purchase for the City in a year?

Mr. Jacoby:

We purchase approximately \$20 million.

Michelle Madoff:

Ah, isn't it wonderful? It's marvelous, folks. From \$20 million, the minorities and women get under \$1 million. Isn't that marvelous?"

Michelle Madoff:

The point I'm making is that here we are, 1990, and once more we have turned over a charge account to General Services to issue contracts, enter into negotiations, albeit competitively when it's over \$10,000, and still, although the purpose was to provide entry into the system for minorities and women, which was pledged at 15 percent, we're still under 1 percent.

I cannot in good conscience vote for this legislation and may I remind my colleagues that we were elected predominantly as a legislative body to review expenses. If there were 300 expenses a year, particularly on the over \$10,000 is excess of, and you divide it up over the 50 times we're in session, what are we talking about? A few bills? A few moments each week? And we're allowing a department to have sole discretion over it? I can't believe this Council. I can understand the other Councils doing it, but I can't believe that this Council would do it.

I did vote for it in previous years because it was going to help minorities and women. Well, it hasn't and until I see that, I'm not voting for it.

Mr. Coyne:

Mr. Chairman, I would just like to remind Council that Director DiNardo spoke extensively on this bill last week. He did two things when speaking on the bill; first of all, he assured Council that he is new and that he will be looking at ways to change this bill for next year when it comes around. He has only been there a month and I think we need to give him a fair opportunity to bring about changes in that department.

Secondly, something that seems to be getting constantly confused is that this bill has nothing to do with minority participation. Carol Veal of the General Services Department and I had lunch yesterday and had a very good discussion on the City's minority and women owned business programs. She assured me that this bill has nothing to do with minority participation. This bill is just giving permission for General Services to go out and order or go out on contract for commodities that the City uses in large quantities that are repeatedly being ordered.

So, I'd just remind Council that this bill has nothing to do with minority participation but it does have to do with the smoother and, I guess, the better for lack of other words, functioning of local government.

Mr. Ferlo:

Mr. Chairman, one of the reasons why I strenuously objected to the appointment of Ms. Botsford as the Director of the Water Department, if you reflect on my comments at that time, it was because she in fact did an abysmal

job in relation to the concern that Councilwoman Michelle Madoff has raised.

There has not been significant progress and the City needs to address both legally, administratively and legislatively, the issue of minority and female participation and procurement of goods and services for the City. That's why I took that position. That would have been the appropriate time to speak out on this issue. This issue, in fact, allows the City to go ahead on its annual purchase contracts for goods and commodities and professional service contracts.

I think the issue needs to be addressed. I think we need to meet with the Administration and come up with whatever administrative actions can be taken and whatever legal actions this Council has the power to enact to begin to deal with the issue.

Mr. Darkins:

Mr. Chairman, I really think, Mr. President, when we think in terms of Mr. DiNardo who we had before Council, examined his credentials, we voted on him to be the Chairman of this particular department and his expertise in the past in the Department of Public Safety. I really think that he should have this leverage to act. I really do. I don't know what we're holding up for here. What has happened in the past, Mr. DiNardo has guaranteed us when we were scrutinizing him and investigating him, taking him through the whole ordeal, that he was going to make sure that these things wouldn't happen in the future. So, I think we should be ready to vote on this.

Michelle Madoff:

In rebuttal to my esteemed colleague, Mr. Coyne. This bill has everything to do with minority and women contracts. Everything. If

you go back and read the transcript that I gave you, the Department, the Administration said that's what it was about. That's what they want it for. I can read. In '86 that's what they said; "We want to raise an increase the money so we can help minorities and women." And that's the only reason I went along with it because, in principle, this Council should be voting on the expenditures of dollars not a department having sole discretion, and the only reason I did it. So, you can't say this is not about minorities and women; that's what it's about.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ferlo
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MICHELLE MADOFF AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1036

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing

Contracts to purchase (200) sections of fire attack hose for the Bureau of Fire and providing for the payment thereof."

Which was read.

Also,

Bill No. 1037

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts to purchase (6) 'Stinger' portable monitors for the Bureau of Fire and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1104

Report of the Committee on Water for July 11, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1031

A Resolution entitled, "Resolution providing for a contract or contracts, or for the use of existing contracts, for the purchase and delivery of Universal Meter Reading Equipment and Related Computer Accessories at a cost not to exceed Twenty-Six Thousand, Five Hundred (\$26,500.00) Dollars and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1105

Report of the Committee on Engineering and Construction for July 11, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 884

A Resolution entitled, "Resolution further amending Resolution No. 427, effective 6/10/88, as amended by Resolution #632, effective 8/12/88, entitled, 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide authorization for the URA of Pittsburgh to act as an agent of the City of Pittsburgh, in matters of Property Acquisition and Relocation of Street Rights-of-Way in connection with the Reconstruction of Grant Street/Liberty Avenue, Phase III, Liberty-10th Street-6th Avenue; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation;' and providing for the payment of the costs thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments to be brought forward on Bill 884.

(MR. FERLO'S REMARKS ON BILL NO. 884 - WEDNESDAY, JULY 11, 1990)

Mr. Ferlo:

Mr. Chairman, the reason why I voted no

on this last year and why I'm going to vote no on it this year, is it is just not necessary; that is the issue. We shouldn't embark on things only because there are available federal funds. If there are available federal funds, they should be used for other important infrastructure projects around this City.

I am sure the good Senator who owns this property is going to make two to four hundred thousand dollars off this deal, and if he is not, then he should go to court because he is not getting a fair buck for his building.

The issue is, it is not necessary. Taking this piece of property as small as it is, is not going to straighten out that angle some maniacal architect down in E & C views on some map as important in order to straighten out that corner. It is just not going to happen. It is still basically a right angle once we acquire this property. It is a waste of money and we should spend our money on better things.

Other than that, God bless Senator Early.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Mr. Ferlo:

This is a bill to theoretically remove a piece of taxable property and help to straighten out an intersection at 10th and Liberty and it's the most ridiculous thing I've seen committed by City government in ten years. In fact, we're going to spend about \$750,000 to take taxable property off the tax rolls for no logical reason whatsoever.

After the property is taken and the street is redesigned, it is still basically a right angle as you're coming off 10th Street, across Liberty, approaching 6th. It makes no sense whatsoever. It might make sense to some theoretical engi-

neer and architect down below on the 3rd floor, but from the point of view of public policy and public safety and the expense, I don't understand the logic of this bill and I strenuously object to it.

Mr. Cohen:

On that issue, Mr. President. What this bill is supposed to do is to improve traffic flow in the Liberty Avenue area and I do think this is one where we should look to the design architecture and construction experts on this because to improve traffic flow is really necessary in that area and that's why I'm going to be voting for it, because I'd like to see that improvement.

This is really a complicated project with the URA and Engineering and Construction and unless I see some faults or flaws in the way they go about it, I think we should go along with them and defer to their judgment on how to increase traffic flow in that area.

So, I disagree with Councilman Ferlo and think we should approve this.

Michelle Madoff:

I don't know if my colleagues remember, but I'm sure, Mr. Wagner, you remember and the public remembers, that this is a piece of property that I probably blew my gasket over. This is the white elephant, known as the White Tower, that went to a legislator who is now under investigation, Mr. Ed Early.

This is McDermott's biggest boondoggle and I went at his jugular in this room because of the way that this dispensing of this property was handled. The City did not move expeditiously to buy that property and now we're going to have to buy it from a third party. It was one of the worst handlings of development in our community, a disregard for the taxpayers' pocketbook.

It's really another example of McArdle. They do it piecemeal instead of doing it at once and so you have the fence done one year and the wall done another year and electrical work done another year and the street is shut off for seven years either one way or both ways and it still isn't done.

You have to look ahead. You have to have some foresight. This is an example of very poor planning and while it may be in the long run the right thing to do on the corner, I just want to put in a protest vote of how that department in the past operated. I'm going to vote no.

The Chair:

If I may just add a comment. This issue has been in front of Council before and I personally am going to vote for it and one of the primary reasons is that the third phase of Liberty Avenue that needs to be completed, which really is in dilapidated shape, ties into this project. If we don't get moving on that phase of Liberty Avenue, we are never going to make the connection with the Convention Center and everything that is happening in the Strip with the other end of town at the Point. It really is a deterrent, I think, to attracting people and conventions to the City.

I guess the argument can be made that this corner has nothing to do with that. I think it does because it has something to do with traffic flow and reconstruction of that intersection. So, consequently, I would like to see us get the issue behind us.

Mr. Cohen:

I have little to add to what you said. I agree with you.

I do think, though, at Wednesday's meet-

ing we put the URA and the Department of Engineering on notice that as they negotiate the agreement for this property, which they have not reached an agreement yet, that they are on notice from this Council that they do so in a fiscally responsible way and in a way that the ultimate agreement corresponds to the value of the property.

So, I think that's one of the concerns that Councilwoman Madoff had. I'm not sure she was here for that discussion, but we did put them on notice on Wednesday.

I agree with you and think that we should turn the corner on this project and move ahead.

Mr. Regan:

Mr. President, I would like to make a comment here about my good friend, Ed Early, who I grew up with. He's one of the most outstanding people that I've ever met in my life. I think he was a tremendous legislator. He was a people's person and I don't think we should vote on Ed Early. We should vote on whether it's the right or wrong thing to do and I personally take my hat off to Ed Early. I think he's a great guy.

Michelle Madoff:

I disagree, respectfully. But back to the issue. I'm voting no as a protest vote. While I agree with you, Mr. Wagner, that you're right; we've got to get on and everything you've said is true. I think we need to go on Record, some of us who have been here long enough and have been through the dialogue on what happened to that corner should have some kind of continuity.

It's a protest vote against bad management and the previous Administration of Construction and Engineering. We've got a \$1 million overrun on Phase II, \$1 million on Phase IV, and I would guesstimate and probably be

right on the button that we're going to have another \$1 million overrun right here because we didn't know what was at the curb.

You know, it was said really quite eloquently, "A billion here, a billion there; pretty soon it adds up to real money." This Council every week talks about money that we need for the City and we're talking about \$4 million minimum overrun on Grant Street and the fact that it took so long. Granted we get matching funds, but the debt to the City taxpayers is astronomical. So, I will vote no as a protest.

The Chair:

Protest or non-protest, we need five votes to pass the bill. I hope we have five votes sitting here.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Wagner
Mr. Darkins	(Pres't)

AYES 5 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 886

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Program; and approving the 1990 through 1995 Capital Improvement Program,' by amending the title of a line item, (Perry North Senior Center).

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Two things, briefly, Mr. Chairman. First of all, I'd like to make a motion that there be a formal public hearing on the recycling issue, specifically on the ordinance which Council re-

ceived yesterday which would codify into law the actual manner in which the recycling issue will be conducted, fines, its implementation. And, as part of that, we are still owed, Mr. Chairman, a formal written report from the Administration, the document from the so-called consultant of which we spent over \$200,000 this past year for a consultant study and agreement at that time.

And if I can refresh our memories so we're clear, the Administration was to provide that report and there was to be a cost benefit analysis on the various types of recycling plans that could be implemented. That report I don't even think exists. It is not forthcoming. I'd like a formal public hearing. I think the public has been out there for the last year, silent, wanting to know what is happening with recycling. It's time for them to come forward and offer their opinion.

But in conjunction with the ordinance that we have to vote on, I think it's perfectly appropriate and reasonable for us to have a public hearing and I'd like to make that in the form of a motion.

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the motion for a hearing on the bill submitted today and other issues related to recycling?

Mr. Ferlo:

I think the hearing should be on the ordinance but the ordinance basically is the recycling issue.

Mr. Cohen:

I absolutely agree that we should get the

public involved and have them speak on the ordinance and have a public hearing, so I agree with that. I would like us to have it as quickly as possible so that we don't contribute to slowing this process so that we can have recycling as soon as possible. So, let's try to schedule it as soon as we can.

Michelle Madoff:

I have only one concern. We asked for the report and Mary Conturo said she was giving it to us any moment. July something. I would like to have that report before we have the hearing because I've been to about ten recycling hearings and post agendas. I don't know what more I'm going to learn that I don't know already. So, if the reporter next year marks me as not attending all posts and hearings, it's because, you know, how often can you attend the same hearing over and over again.

Mr. Ferlo:

I think the hearing should be televised and that's part of my motion also.

The Chair:

The motion on the floor is to have a hearing in regard to the bill and other related issues. We will schedule the hearing in early August, sometime. I would ask the City Clerk to notify the Mayor's Office and the appropriate individuals that the information requested by Council should be provided as soon as possible, certainly before the hearing.

All in favor of the motion to have a hearing and have it televised? Opposed?

WHICH MOTION PREVAILED.

Mr. Ferlo:

On the second issue, Mr. President, I'll try to be very succinct.

For some time I've been doing some research and basically I went on a treasure hunt. I've been on a Sixth Floor treasure hunt. I don't know if Council is aware of this; probably much of the public is not aware of this. We, the City of Pittsburgh, actually own the Sixth Floor of the City County Building.

The reason why I initially started on this issue, Mr. Wagner and others on Council, myself, Mr. Regan, have been upset about the condition of the outside of the building on Ross Street and in front of the City County Building, and that's sort of what sparked my interest. As I started doing research, I actually started developing what I can best describe as a treasure hunt.

Having now indicated to you and to the public, Mr. Chairman, that we, in fact, own the Sixth Floor, I think you should know that as of 1989 the receipts from the County amount to about \$25,000 which is \$75,000 less than a ten year contractual agreement that we've had with Allegheny County.

In other words, from 1978 by Council resolution until 1988, Council approved a lease arrangement with the County to occupy the Sixth Floor in the amount of \$101,500 per year. Last year, per the receipts 1989, of the \$101,500 that was supposedly to be paid, the Controller's Office has actually only been in receipt at the final tally for 1989 was \$25,746. That means we have been out \$75,000 in the year 1989. I don't have the figures for the previous years of the ten year agreement but I would gather that there is a significant amount of money that's out.

I'm raising two issues here. One, where is the rest of our money; and secondly, that contractual agreement with the County ended in 1989, actually 1988, December. That means

from 1989 now going into 1990 and 1991, we, in fact, do not have a continuation of that contractual relationship. And I'll be darned if I'm going to vote for an additional contract that sets the fee at \$4 per square foot when we just approved a lease this year in the Porter Building for the Water Department for I think \$12 or \$13 per square foot.

Something stinks here and I think we have to take control of the situation and request from the Administration an explanation as to why, for one, we don't have all of our \$101,500; and secondly, what is the status of any negotiations and are there any negotiations regarding the continuation of this leasing arrangement.

The third issue is, and I don't think Council is aware of this, the County receives all the money from the pay phones, even the pay phone outside the Mayor's Office. I think all that money should be taken back and given to the City so we can spend it on cleaning up the front of the building.

This contractual agreement, the original ordinance creating the relationship with the County and the City on who owns this building dates back to 1915. And in that ordinance, it provides for the Court of Common Pleas to appoint a referee when there is disputes about who should take care of what or maintenance or any kind of a problem like that.

So, if the argument is true by the Administration that they indeed would like to do something about cleaning the front of the buildings, if the County won't pay its share, the legal agreement back in 1915 provides a process by which the local court can appoint a referee.

So, there's three fundamental issues here. One, where is our money that we got screwed out of in the amount of about \$75,000 in 1989 alone; secondly, what is the status of the

current negotiations and is this lease in the future going to reflect fair market value for the proper on the Sixth Floor; and thirdly, if we want to move ahead and clean these buildings and we're concerned that the County is not paying their share, let's kick into motion the provisions of the Act of 1915, the original lease agreement, which allows the Court of Common Pleas to appoint a referee.

I think this is a very interesting issue, obviously. I'm mainly concerned not only about the cleanliness of the building, but we're out a lot of money and I want to know why they County isn't paying its share.

So, I'd like the appropriate information to be sent to the Administration for a response, and I'll provide a copy of this ledger.

Michelle Madoff:

I'd like to comment on my colleague's information that he brought to Council. May I address him?

Mr. Ferlo, did you go to the Administration in any way and ask what happened to that money?

Mr. Ferlo:

Yes. They're researching the agreements to try to find them to give to me. I already have them from other places.

Michelle Madoff:

We know where you got them from.

Mr. Ferlo:

I got them from the Clerk's Office, doing the research.

Michelle Madoff:

Well, I'm going to get to that in a moment.

If, indeed, what you've discovered is factual, you have a very good issue and one that is in the best interest of the public that we indeed do something about it. The reason I asked is that sometimes there's a quid pro quo. They won't pay us for something because we pay for something else. That's what I was concerned about and you're saying no, that wasn't the issue.

Mr. Ferlo:

Just on that point, to clarify. The ten year contractual agreement that was signed by Council in 1978 specifically states that the fee shall be \$101,500. There's a specific clause in there also that says that any maintenance or repairs to the Sixth Floor, the obligation is to the County to pay for it. So, in other words, any excuse that the County says that they paid for maintenance or anything of the sort, that doesn't fly with me.

And even if there is some issue here, there should be an auditing. When the County sends that \$25,000 check, they should also send formal receipts and have some approval process if their contention is that they indeed did some work on the Sixth Floor.

But the other main issue is that that property up there is not fair market value \$4 per square foot. So, let's straighten this problem out.

Michelle Madoff:

It seems to me that somewhere or other there is a breakdown in operations. If the Controller is supposed to audit and collect our bills, did he get a copy of the contract? Is the Controller aware of the contract? And if he is aware

of the and has a copy, is there a list of all contracts with the City, which I think a Controller would have, and why hasn't he collected the money?

That's basically why I asked the question, "Is there a quid pro quo?" and therefore it wasn't collected, or indeed is this a contract and that's the guardian of the collection of our bills, the Controller's Office. I just thought I'd comment on that.

On another issue. This is not an intention to impinge on my colleague, Mr. Coyne's, area which I believe is the Greenfield area. For the last some 15 or 20 years, because of my activities with GASP, the community years and years ago approached me about solving the problem of the Greenfield Auto Service. It was in the Pittsburgh Post Gazette on July 16th.

This is a typical problem that exists in every one of our communities. A landlord allows his property to deteriorate, and in my district and the Sheraden district, across the road, excuse me, right next door to somebody who doesn't maintain his property, the next property deteriorates. The property across the road deteriorates. And pretty soon people don't want to live in this community.

Here is a community fighting the Greenfield Auto Service, to my knowledge for about 20 years. And what happens is that they go to court and they get six months to clean it up and they don't do it and a week before the six months is up or a month after they're hauled back into court and they say, "Oh, now I've got a plan." And six months later -- This goes on for 20 years.

Something has to happen to change the way we do business in the City. If there's a State law that pre-empts us, we need to change State law.

I conferred very briefly with Deborah Miskovich of Housing Court and I've talked to Mary Conturo about giving some input to this Council as to what kind of legislation we need so that we continuously don't have to deal with these absentee landlords or landlords that are holding onto property.

In Oakland I've just dealt with one there because this landlord is hoping the University will eventually take it. Meanwhile, it's full of graffiti, it's a hazard to the community, and the community wants to do something. They want to build some little parklets. They want some adequate housing. But no, because of the profiteering, we, as City residents, are having our City slowing deteriorated by those who are in it for personal gain.

I think that we need to do something and I respectfully ask my colleagues to think about ideas and ways that we should seek to right this terrible situation, if you have some ideas on litigation.

Mr. Coyne:

I thank Councilwoman Madoff for bringing this matter before Council.

I'm sure everyone saw the article in the newspaper the other day concerning the Greenfield Auto Station which is on the corner of Beechwood Boulevard and Hazelwood Avenue. This same station was picked in "In Pittsburgh Magazine" at the end of 1989 as one of the 10 Ugliest Sites in the City of Pittsburgh.

It's really unfortunate that the Greenfield community, through organizations such as the Greenfield Organization and the businesses in Greenfield, are working so hard to maintain a neighborhood and make it a place where people would want to live in the City of Pittsburgh, and

there is a building or structure like the Greenfield Auto Body right when you're going into the neighborhood. It can give people the impression that the whole neighborhood is like that and it doesn't accurately reflect what the neighborhood of Greenfield is really about.

Now, to give some support, I guess, to Mr. Feldman who does own the property, he has made attempts over the year to sell it and there have been some fights with the neighborhood groups as to the different types of business he wants to put in there. It seems that for one reason or another, either the neighbors couldn't get together or Mr. Feldman couldn't get together and the CoGos or the other markets who were thinking about locating there, have changed their plans because of time factors or whatever. Building inspectors have been out there many times. City Planning has looked at it.

But I think it's just time now, as the Councilwoman has stated, this has been going on for 10 to 20 years, that the City needs to take a stand and start with this location. City Planning needs to come up with a more definite idea of how they want to deal with properties like this and I think this would be a perfect opportunity for them to come forward and to try to negotiate and mediate an agreement between the property owner and the local residents that is going to be to everyone's satisfaction.

So, if Council could send a letter to the Department of City Planning urging some prompt action on this location and some clear cut decisions so that not only the property owner but the neighborhood groups in question would also have an idea of what direction to go into.

The businesses in Greenfield, with the aid of Dave Hairhoger who owns the Community Drug, is offering to paint the building. They're offering to go in and try to beautify the location as much as possible and I think that's

very commendable. But I think that again would only be a band-aid solution and I think what the City needs to pursue at this point is a more permanent solution to problems, as Michelle has stated, not just located up there but in different areas of the City.

So, I think we should bring this to City Planning's attention and try to bring about some action.

Mr. Ferlo:

I would just ask that the same letter go to the Urban Redevelopment Authority, the Business Assistance Center, so that they can also work with Planning, as Mr. Coyne has outlined. I think the development group here needs to develop an agency of the City and needs to be involved in terms of potential businesses that might possibly locate. It may be a suitable site for a small retail or a small office center kind of a facility. I think they should be shared the information also.

Michelle Madoff:

I'm recalling now how I got involved with this issue. This gentleman has total disregard for public welfare. He used to park his cars on the street, his wrecked autos. He didn't care if it was a parking lot, a garbage dump, a lot for abandoned cars. It's very much like Mr. Ricciardi's concern about an area on the South Side. They've spray painted in that area with fumes. I got involved because of my environmental issues at the time. Really, 20 years ago.

This man probably bought his property very inexpensively and he's trying to make a killing on it on the backs of the people around it. We ought to go in and take that property by eminent domain. It can't be very valuable because he can't even sell it. If it's going to be valuable, they ought to come to, as we did today, some

kind of compromise so that we can do something about that corner.

But, as Mr. Coyne said, it is not an isolated case. It happens in every one of our communities, moreso in communities such as mine, the South Side, and some other areas.

I really believe it's the time to move and I would like to call for a post agenda. I'd like to have, if it meets with Council's approval, Mary Conturo, Deborah Miskovich. I don't want to have to meet privately with these people and work something out when I think there is very good input from the brains on this Council. We could make this a better project. I want somebody, a representative from the Mayor's Office, other than Mary Conturo. It also might be beneficial if we have somebody from the Law Department to tell us what State laws and what we can do, whether we can be initiators and not be worrying about pre-emption.

Mr. Darkins:

Mr. Chairman, wouldn't the rightful way to do this would be that this particular property, or whatever it is, that it should be cited and go through Deborah Miskovich's courtroom instead of coming to Council? We have so many things to deal with.

The Chair:

Evidently, that has been attempted in the past and has not been successful.

Mr. Darkins:

Can't we do it again, Mr. President?

The Chair:

Certainly another request can be made to do that.

You may want to include Building Inspection in the post agenda and the URA, as Mr. Ferlo suggested.

Michelle Madoff:

For my colleague, may I once more reiterate. It is not this property that we're talking about. We're talking about properties in every community where landlords get six months, go back into court and get six months, go back into court and get six months. Promises, promises, promises, promises, and nothing happens 20 years later. It's time we dealt with it.

The Chair:

Rather than get into an extensive debate on this, why don't we have the post agenda and do that.

Everyone is aware that there is a 2:00 public hearing on a marina on the North Shore at the request of the petitioners.

Mr. Ferlo:

I just want to note the passage of the Medicare Overcharge Measure Bill that was signed into law last week by the Governor. This Council is the first municipal body, two years ago, to pass a resolution to lobby. Two years ago and this year, with the support of Council. Bishop Darkins was very active helping to organize buses and I think we've played a very important role and I applaud the State Legislature for passage of the bill.

Michelle Madoff moved to excuse Mr. Miliones for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of Mr. Darkins

Council adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, July 24, 1990

PRESENT:

MR. COHEN
MR. COYNE
MR. DARKINS
MR. FERLO

MICHELLE MADOFF
MR. REGAN
MR. RICCIARDI
MR. WAGNER
(Pres't)

ABSENT:

MR. MILLIONES

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 1141 WHEREAS, the City of Pittsburgh is delighted to have Mrs. Gladys Masire, First Lady of Botswana, Southern African and Chairperson of the First Lady's Charity Fund, as a guest in the City of Pittsburgh; and

WHEREAS, through First Lady Masire's vision and leadership, the First Lady's Charity Fund was created to begin addressing the dilemmas facing the youth of Botswana and surrounding rural areas; and

WHEREAS, because of dedication and commitment, in 1984 approval was granted to begin the development of the Botswana Youth Center on a site provided by the Gaborone Town Council; and

WHEREAS, the Center's objectives are to serve youth between the ages of 8 and 25 by providing educational, cultural, social and counseling programs as well as facilities for the development of sporting talent and creative hobbies; and

WHEREAS, since development of the Youth Center, young people have an opportunity to redirect their energies in constructive endeavors benefiting both youth and society.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pitts-

burgh commends First Lady Masire and the Charity Fund for their determination to expand and develop the minds of young people by providing them with positive options.

Mr. Darkins moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have with us today, and she is going to give some remarks, and she has already been with the Mayor this morning and the Mayor was quite excited because when I introduced her to the Mayor I said to the Mayor, "Mayor Masloff, she is the First Lady of the City of Pittsburgh, but we have a First Lady from Southern Africa here today."

Mrs. Masire:

Thank you, ladies and gentlemen. We have a slogan that means that women are the pillars of the nation. So, I was very pleased this morning, very pleased indeed, to meet a Lady Mayor. I have to congratulate you, the community of Pittsburgh, for choosing a lady to become your Mayor. I hope that everything is going to run smoothly because a woman is the pillar of the nation.

Coming to our country, the socio-economic changes that have occurred in the past 23 years have dramatically changed the situation and the role of women in our country. It is therefore necessary to carry out research on tradition with a view of changing certain tradition attitudes and beliefs and practices to facilitate not only the full participation in development, but also to enable Botswana to present the rich character of our heritage for the benefit of the future generation.

While coming to fund-raising, as I have been told the objective of my youth center, I'm still struggling around for response to complete the building. I have already started with our first phase and so we are now going to continue with the first phase. But I hope with the help from the most interesting people at home and overseas, I'll manage to complete my center as it is one of my main babies.

We are going to provide education, leadership, character, social, counseling programs, to develop youth whereby society and youth benefit. And we are going to provide facilities to sponsor sports.

And we are also going to have accommodations for short-term visitors. We are thinking of the overseas visitors, probably a young couple who just got married and want to spend their honeymoon in Southern Africa. If we have facilities like that, they can occupy them for a short time. This is one of the things which we are hoping for.

I hope the Pittsburgh community is more interested in Botswana and I am glad to invite you to go and invest in our country. We would like you to go and invest in our country so you'll be safe if you are in Botswana. We are proud to say that you will be safe financially. Botswana is very nice. If one is there, one doesn't want to move from there.

Thank you for having staged this very warm welcome to this City of Pittsburgh. I'm very, very grateful to you all. And I hope my sisters who are with me here, although I didn't know that they are here. And the African-American women who are here, I am very, very pleased for the good arrangement they made for us. Thank you.

Mr. Darkins:

You met the Mayor of this City this morning who is the First Lady of the City, but I want you to see the First Lady here in Council. That's Michelle; she's a women.

Michelle Madoff:

Last time I looked.

Mr. Cohen:

The pillar of our Council.

Michelle Madoff:

That's right.

Mr. Darkins:

I'm so glad I'm first today because if I had to follow Baldy, it would be a hard act to follow.

As strange as it might be, I did not know today that this was going to be the type of day that it is, but I'm very proud of it because I have before me thirteen Afro-Americans and they're from thirteen countries in Africa. Every last one of them are union representatives. So, this is quite a day. And it's such a great day because as I look at all of my union brothers and then see all of my union sisters that have come over, this is harmonious. Believe me.

Mr. Darkins presents

No. 1142 WHEREAS, the Council of the City of Pittsburgh is honored that eighteen African women are guests in the City of Pittsburgh; and

WHEREAS, these women are union representatives from the African American Labor Center AFL-CIO Study Tour represent-

ing the countries of: Botswana, Egypt, Ghyana, Kenya, Malawi, Namibia, Nigeria, Siera Leone, South Africa, Tanzania, Uganda and Zambia; and

WHEREAS, the Community of Reconciliation Church and the Pittsburgh Welcoming Committee will host an array of events and activities introducing the delegates to the City of Pittsburgh and its residents; and

WHEREAS, the African American Labor Center was created in 1964 and has fervently carried out the AFL-CIO's mission to encourage the development of freedom and democracy within African Trade Unions by designing and developing programs that assist and strengthen the needsof the African Labor Movement; and

WHEREAS, through the AALC and its programs, the AFL-CIO seeks to encourage strong national labor organizations that will contribute to the economic and social development of their country and secure worker rights and promote democracy on the African continent.

NOW, THEREFORE, BE IT RESOLVED, that the African American Labor Center selected Pittsburgh, Pennsylvania as a study site and extends to them hospitality and success in their pursuit to acquire knowledge and information that will benefit the African American Labor Center.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We also have to accept, she's from

Washington, D.C., from the National AFL-CIO, Barbara Lomax.

Ms. Lomax:

Let me say that I've traveled to Pittsburgh many times meeting with the United Steel Workers and other organizations. This has been the warmest welcome that I've ever received. And on behalf of the women from the 13 countries of the African Continent, I wish to thank you from the bottom of all of our hearts and we look forward to coming back again.

Ms. Springer-Kemp:

I'm Mada Springer-Kemp, a retired trade unionist who was given the great privilege of organizing the tour of my colleagues of Africa for the five days here. With the support of all of these wonderful people in Pittsburgh. And so, the 14 countries that are represented here straight across the continent, women doing unusual things, a secretary at the petroleum workers, the railway workers, the transportation workers, all of the non-traditionals.

So, I am most grateful that Pittsburgh has so warmly welcomed these women from 14 countries in Africa.

I would be remiss if I did not point out that Barbara Lomax's assistant. And I would also be remiss if I didn't point out Carolyn Knight and the wonderful young man who is the interpreter for the Egyptian group, Mohammad.

So, I do thank you again on our behalf. Thank you.

The Chair:

Thank you all for coming.

I'd like to ask the President of the Pitts-

burgh Three Rivers Regatta, Mr. Gene Connelly, to please step forward to accept this resolution.

It's a great honor to present this resolution because in my opinion this is the finest event annually in the City of Pittsburgh.

The Chair presents

No. 1143 WHEREAS, our three magnificent rivers -- the Allegheny, the Monongahela and the Ohio -- providentially have served our community as well as mankind in great expanse; and

WHEREAS, Pittsburgh is the number one Inland Port in the world with it's rivers providing the water needs for economic progress as well as recreation of our citizens; and

WHEREAS, the Pittsburgh Three Rivers Regatta is designed to contribute to the goal of focusing attention on the area's lifelines, and will offer a fun-filled weekend of free entertainment from August 2-5; and

WHEREAS, the 1990 Three Rivers Regatta, presented by Pepsi, WPXI-TV, A.C. Delco and the Greater Pittsburgh Pontiac Dealers, is pleased to celebrate another anniversary of its Pittsburgh history; and

WHEREAS, the 1990 Regatta will feature an expanded schedule of more than 70 events including U.S. Formula One Grand Prix Championship Boat Racing, the Great Mid-America Sternwheel Race, the popular "Anything That Floats" event, and the Hot Air Balloon Classic from August 3-5, which we proudly proclaim "Regatta Weekend".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the President and

General Chairman of the Three Rivers Regatta, Eugene F. Connelly, and his dedicated and capable staff, as well as all those who work diligently toward success again this year; and

BE IT FURTHER RESOLVED, that we congratulate Mayor Sophie Masloff, the 1990 "Riverperson of the Year" as we urge our citizens and visitors to enjoy and participate in this free open-air spectacular exhibition that truly reflects the great pride we all share in our bountiful rivers.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I should mention that the Regatta Week-end begins on Thursday evening, a week from this Thursday, with a great parade at 7:30 p.m., an evening parade, one of the few in the City of Pittsburgh.

As I indicated, it's a great honor to present this resolution to Gene Connelly. Gene and his brother, John, were instrumental, obviously, in starting the Regatta and I don't think there's anything in the City of Pittsburgh that has brought more attention to the value of our rivers in the last two decades and Pittsburgh Three Rivers Regatta.

There's a whole lot of volunteer work that goes into this Regatta each and every year. As a matter of fact, when it's over the first week of August, the planning for the next year begins within two weeks after that.

If you haven't attended it, you should attend. It is by far, as I indicated, the finest event in my opinion in the City of Pittsburgh. And the

great part about it is, it's free. It has over a half million participants and we anticipate even more people this year.

I'd like to present the President, Mr. Gene Connelly.

Mr. Connelly:

Thank you President, Jack, and I certainly want to be very grateful and thankful to all of City Council for the tremendous input and all of the individual help that each and every one of you have offered to the Three Rivers Regatta.

This is an international day here today at City Council, but it's an international day for us whenever we're extended the invitation to take our Pittsburgh Three Rivers Regatta to the country of the Netherlands, to the City of Rotterdam, for their 650th anniversary. That's a first in the international festival association so Pittsburgh is certainly honored to have that distinction.

Jack Wagner is the Chairman of the parade, so that was the little plug for the parade on Thursday night. It is one of the finest parades that we have and it is a real special event.

Thank you so much.

Mr. Regan:

You know, they saved me for last because they haven't seen this many union people in this building for 100 years and we're proud to have you here. And it took my lifelong friend, Joe Laquatra, to bring them down here.

I'd like to thank Bishop Darkins. This is the first time I've seen my colleague in white. He looks pretty good in white, doesn't he? You know, it was funny; he had trouble pronouncing those African names. You should have seen when he and I went to Saskatoon, Saskatchewan

at a convention and Mr. Schmitz was looking for us. Neither one of us wanted to take the fellow phone because we couldn't get it together. Saskatoon, Saskatchewan. But we finally did it.

It's a great honor that I have all these union leaders and friends of Joe Laquatra here. If ever a guy was deserving of an honor, it's Joe Laquatra because he has helped a lot of young people pay their way through college and he has also helped a lot of young people pay their mortgages off.

Her Honor the Mayor is here. Mayor, as good as you look, would you come up and replace Councilman Wagner here, please? He's only the President of Council. The Head Lady showed up and we all bow when she comes in. Thanks for coming, Mayor.

I'd like to ask Joe Laquatra's family to come up here, please. This is the First Lady of the North Side, Mrs. Laquatra. A couple Irish kids snuck in there. It shows you that things are really rough when they have to sneak into an Italian family. That shows you how strong the Laquatras are.

I'd like to introduce Joe's family, Laurie, Joe, Mike and Fannie, and his famous wife, Chris, his mother, Mrs. Laquatra. We're missing two big pillars here today; his father, Mike Hogan Laquatra, and his brother, Jack. We're sorry they couldn't be here today because they would have certainly been glad to see us name this Joe Laquatra Day in the City of Pittsburgh.

Rosemary, Nancy Jean, his sisters, are here. His nieces, Annie and Kathy, and Dr. John Cancellere, his first cousin.

Mr. Regan presents

No. 1144 WHEREAS, labor unions have played a vital role in the present Renais-

sance for the City of Pittsburgh; and

WHEREAS, labor unions have worked with management in developing a favorable outlook for prospective employers to relocate with the City of Pittsburgh; and

WHEREAS, construction labor unions have helped rebuild and reshape the City of Pittsburgh through the building of skyscrapers, highways, tunnels, subways and the employment of thousands of City residents; and

WHEREAS, specific construction labor representatives have played vital roles in this part; and

WHEREAS, Joseph Laquatra, President-Business Manager of the Laborers' District Council of Western Pennsylvania has been at the forefront of this effort; and

WHEREAS, Joseph Laquatra has dedicated his life to serving working men and women throughout the City of Pittsburgh; and

WHEREAS, his efforts have also helped other areas throughout Western Pennsylvania and now specifically construction at the Greater Pittsburgh Airport Mid-Field Terminal project; and

WHEREAS, hundreds of construction laborers and other construction workers are working because of his efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and thanks Joseph Laquatra for his efforts for working men and women throughout the City of Pittsburgh, Allegheny County and Western Pennsylvania; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges all con-

struction contractors to work towards labor peace by recognizing labor unions so that a favorable labor climate will exist in the City of Pittsburgh and that message will become clear to companies considering relocating to Pittsburgh, investing in this area and building new plants and office complexes. "IT COULD ONLY HAPPEN IN AMERICA"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Laquatra:

Mayor Masloff, honored guests, friends, it's a real privilege for me to be here today to accept this award.

I've had a lot of help in my 27 years with the labor movement. I've been fortunate to have loyal, hard-working people alongside me. My affiliated locals in the 33 counties of Western Pennsylvania work hard every day and I get all the credit for it. All the craft locals that are out there today have supported me down through the years and I appreciate that very much.

I would not be up here today if it were not for all of you people and I want to share this award with you. You deserve it more than I do.

Labor and management have to work together today and we can do it and we proved it by the Airport project. We will continue to work together and do better and bigger things for the City of Pittsburgh and the State of Pennsylvania.

And to quote my lifelong dear friend, Baldy Regan, this could only happen in America. Thank you very much.

Mr. Regan:

I'd just like to run down a list of some distinguished guests that came here today to honor Joe. And I'd like to thank Joe. He was very responsible, along with the other labor leaders, for making sure there was peace and harmony at the Greater Pittsburgh Airport and after two years there hasn't been one strike at the Airport and I think that the union leaders and Joe Laquatra deserve a nice big ovation.

From the Labors Union, Jerry Chaney, Ron Augustine, Doug Augustine, Mark Flaherty, John Chapman, Bill Layer, Tillmon Smith, Bob Kunz, Joe Frydich, Jerry Pecora, Paul Quarantella, Bob Ferrari and Mark Mancki. Ironworkers Paul Lowry, Pat McGurk, John Heinlein. Elevator Contractors - We had one kid here that was afraid to come up in the elevator from Ireland today. So if the elevator operators have any pills that they give to their workers, we'd appreciate a little help here. -- We have Ron Koerble from the Elevator Contractors. Boilermakers Joe Bazy. Operators Engineer Gil Whitmer. Pittsburgh Firefighters Paul Sherman and Joe King. Floor Coverers, Arnold Dickson. Stick around long enough and we can take care of your whole household. Carpenters, Pat Laney, Rich Anthony Millwrights, Joe Savarino. Pittsburgh Builders Rich Stanizzo, Paul Saunders. George Gallis from the Painters Union. Electricians, Denny Miller, John McIntyre and Greg Voight. They make more money than plumbers, those guys, and plumbers make more money than lawyers.

Michelle Madoff:

And everybody makes more money than Councilpeople.

Mr. Regan:

That's because you were afraid to vote for a raise. I make the motion.

Cement finishers, John LaScola, Don Mead and Bill Cichinelli. Painters, George Galis. Teamster Ted Zilch, Mike Yagercik and the famous Nick Sansotta. Sprinkler Fitters, Rege Helch.

I also have some other distinguished guests in here, the former Chief of Ross Township, Bob Butzley. Judge William Cercone, Judge Baer, Senator Ragoli. Glad to have you here today. Judge Paul Luty had to go back to his office. Chief McNamara from the Sheriff's Office. Deputy Coroner Art Gilkes. We're even working on the dead in here this morning. Judge Penkower had to leave early. Jim Didero from the Turnpike Commission.

Another guy I'd like to have stand up, he's been something for the City of Pittsburgh, the former Light Heavyweight Champ of the world. And the night he fought Joe Lewis and got knocked out in the 13th round, he was a 40 pound weight disadvantage. That night they said that Billy Conn was the greatest fighter in the world, pound for pound.

I'd like my former classmate and Prosecutor, Bob Colville, to stand up. He prosecutes everybody. I'm surprised there's crowd around him.

Judge Bob Gallo. B.J. McGarvey. Val Migloretti from Kane Hospital.

Also, we have one Republican in the house, Commissioner Dunn.

I would be remiss in my duties if I didn't ask her Honor, the Mayor, to come up and say a few words. She has been a fantastic lady for the City of Pittsburgh. She has done a tremendous job.

Mayor Masloff:

Baldy, I didn't come to make a speech; you know that. You're a tough act to follow.

I just came over to congratulate Joe. We've been friends for a long, long time. He deserves all of this and I congratulate him again.

Mr. Regan:

Thank you, Mayor.

The Mayor, if you ever go with her, she's tough to follow. She has a writer. I have some little guy about this big on the North Side who is on welfare that does my speech writing.

Joe, we'd like to thank you and want to let you know that the City of Pittsburgh loves you. This day is "Joe Laquatra Day" in the City of Pittsburgh. I wish your father and your brother were here. Thank you.

Mr. Ferlo:

Baldy, you didn't introduce your two sons. I think you should introduce them, too.

Mr. Regan:

This is my son, Dan and my son, Shawn.

I have another proclamation here. I'd like the girls' basketball team from Ireland and their coaches and managers to please come up here.

It is with honor and pleasure that I introduce this young ladies' basketball team from Dublin, Ireland who are touring the United States. We were lucky enough to have them visit with us in Pittsburgh.

Mr. Regan presents

No. 1145 WHEREAS, on July 24, 1990, the Dublin, Ireland Tolka Rovers Basketball Club is being honored for their presence in Pittsburgh, Pennsylvania; and

WHEREAS, the team consists of 14 girls ranging from the age of 15 to 17 who are as follows: Gillian White, Cathy Reid, Patricia Donnelly, Violet Scally, Fiona Daly, Helen Lawlor, Andrea Moran, Tara Kennedy, Joanne Howard, Aleatha Deegan, Emeir Howard, Louise O'Hara, Fiona Walsh and Edee Leonard.

NOW, THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council hereby recognize the Dublin, Ireland Women's Division I Basketball Club.

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

If you have any relatives living in America or if your children or great-grandchildren come to Pittsburgh, you'll be able to get into the archives and pull out your names and that you were here in the City of Pittsburgh on this day and that you were honored by these Councilmen, my colleagues, and the City of Pittsburgh.

This is their coach, Celine Byrne. Would you like to say a few words on behalf of the team?

Ms. Byrne:

I'd just like to thank you. I believe we're out of order getting in here like this, but if anyone can do it, Mr. Regan can do it for us. We'd like to thank him very much. We did host his team in Ireland and it was a great pleasure to do

so.

So, on behalf of the team and the committee members, we'd like to thank you for honoring us this way. Thank you.

Mr. Regan:

This young lady is on the All Ireland team. She's a great basketball player.

Ms. White:

I'd like to say thank you very much on behalf of the team for bringing us into Pittsburgh. Thank you.

The Chair:

Thank you all for coming. Enjoy your stay.

Mr. Cohen presented

No. 1109 Resolution providing for the issuance of a warrant in favor of Middle States Steel Construction Company in the amount of \$41,821.08 for the purchase and installation of debris nets at the Greenfield Avenue Bridge, payable from Code Account 3-13-30-0001-90, "1989 Project Fund." (PRIOR APPROVAL GRANTED)

Also,

No. 1110 Resolution providing for the issuance of a warrant in favor of Derek Martin and Associates in the amount of \$3,000.00 in payment of design of alterations and additions to the electrical system at the Public Safety Communications Center, payable from Code Account 4-13-86-0095-87. (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee

on Finance.

Also,

No. 1111 Resolution amending Resolution No. 1061, eff. Jan. 1, 1990, as amended, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by creating a cost range of \$25,000.00 to \$50,000.00 for EC 90-427, City Tow Pound.

Also,

No. 1112 Resolution amending Res. No. 865, eff. Sept. 26, 1985, entitled, "Providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with Improvements for Handicapped Accessibility at the Main, South Side, Squirrel Hill, Lawrenceville, Woods Run, Carrick, Allegheny Regional, Knoxville, Homewood and the Blind and Physically Handicapped Branch Libraries; and providing for the payment of the costs thereof," by increasing the total project allocation by \$98,965.00 from \$495,000.00 to \$593,965.00.

Also,

No. 1113 Resolution providing for a Cooperation Agreement or Agreements with the Carriage House Children's Center, Inc. for Various Accessibility Improvements at Wightman School Community Building at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account 4-13-95-0002-87-39-87-13.

Also,

No. 1114 Resolution providing for a Cooperation Agreement or Agreements with the

Stadium Authority for Various Accessibility Improvements at Three Rivers Stadium at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account 4-13-95-0002-88-39-88-13.

Also,

No. 1115 Resolution further amending Res. No. 189, eff. March 30, 1989, as amended by Res. No. 598, eff. July 27, 1989, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Playareas, including but not limited to Alton, Boundary, Glenwood and Sheridan Courts; and providing for the payment of the cost thereof," by increasing the total project allocation by \$75,000.00 from \$625,000.00 to \$700,000.00.

Also,

No. 1116 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase of a mobile trailer or construction of a traditional structure, to house the operations of the City Tow Pound at a cost not to exceed \$50,000.00, chargeable to and payable from Code Account 3-13-86-0100-90.

Also,

No. 1117 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Impact Attenuator Modifications on Broadway Avenue, in the 19th Ward of the City of Pittsburgh, Council District No. 4, at a cost not to exceed \$10,000.00 or more, but less than \$25,000.00, chargeable to and payable from Code Account 4-13-01-0300-89.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1118 Providing for the issuance of a warrant or warrants in the amount of \$34,748.13 for payment to Mistick, Incorporated, Thomas Mistick, President for refurbishing of the existing elevator at No. 5 Police Station, payable from Capital Project Account #3-30-01-0003-90, Bureau of Repairs and Operating Maintenance, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1119 Resolution adopting Official Sewage Facilities Plan for Armstrong Square.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced to the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 1120 Resolution providing for the issuance of a warrant in favor of Traco Co., in the amount of \$5,620.00 in payment for windows for the addition to the Public Works' General Office Building, chargeable to and payable from Code Account PW 86-12, Capital Construction. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

Also,

No. 1121 Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Dept. of Environmental Resources, for the purpose of granting the Dept. of Interior and the Dept. of Environmental Resources a right of entry into, over and upon certain lands owned by the City in the 15th Ward, and license and right to install mine drainage piping.

Also,

No. 1122 Resolution providing for an Agreement or Agreements with the United States Department of Interior Office of Surface Mining, and the Commonwealth of Pennsylvania, Dept. of Environmental Resources, for the purpose of granting the Dept. of Interior and the Dept. of Environmental Resources a right of entry into, over and upon certain lands owned by the City in the 19th Ward, and a license and right to install mine drainage piping.

Also,

No. 1123 Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Dept. of Environmental Resources for the purpose of granting the Dept. of Interior and the Dept. of Environmental Resources a right of entry into, over and upon certain lands owned by the City in the 31st Ward, a license and right to install mine drainage piping.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1124 Resolution providing for an Agreement or Agreements with the ARC House, Inc., for the rehabilitation of their facility located at 1216 Middle Street and 800 E. Ohio Street for the purpose of bringing said properties into compliance with all applicable orders, at a cost not to exceed \$125,000.00.

Also,

No. 1125 Resolution amending Res. No. 698, eff. Aug. 23, 1989 entitled, "Resolution providing for an Agreement or Agreements with the Homewood-Brushton Community Improvement Association for general site improvements at their property located at 7400 Frankstown Avenue", so as to change the purpose of the Agreement(s) to administrative/operating expenses for the Agency. Cost not to exceed \$7,500.00.

Also,

No. 1126 Resolution amending Section 10 of Res. No. 79, eff. March 7, 1989, as amended by Res. No. 776 of 1989 entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Dept. of Housing and Urban Development for a grant in connection with the 1989 CDBG Program", so as to delete a line item in the Dept. of Personnel and Civil Service and increase a line item in the same department. (By transferring \$75,000.00 from "Supervision/JTPA - Eligible Services" Youth to Dept. of Personnel and Civil Service, "Pittsburgh Partnership Employment Program".

Also,

No. 1127 Resolution amending Section 10 of Res. No. 234 of 1986, as amended by Res. No. 1180 of 1986; by Res. No. 43 of 1987, by

Res. No. 715 of 1989, and by Res. No. 133 of 1990 entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Dept. of Housing and Urban Development for a grant in connection with the 1986 CDBG Program," by reducing a line item in the Dept. of Engineering and Construction, "Lighting, New and Replacement Fixtures" from \$150,000.00 to \$47,738.27 (-\$102,261.73); and creating a new line item in the Department of City Planning, "ARC House, Inc." (+\$102,261.73).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1128 Resolution providing for the issuance of a warrant in favor of Abby Mendelson, 5851 Northumberland Street, Pittsburgh, PA 15217, in the amount of \$1,500.00 in payment for professional consulting services rendered to Michelle Madoff, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, District 2, City Council. --- (SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 1129 Resolution transferring the amount of \$1,500.00 from Code Account 1001-1 (100115), Misc. Services, City Council, to Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation. --- (SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Finance.

Also,

No. 1130 Resolution providing for an Agreement or Agreements with the Hill House Association for the Uptown Little League for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation.
---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1131 Resolution amending Res. No. 308, appr. March 26, 1990, eff. March 30, 1990, entitled, "Providing for the acquisition from Rose Marie Balestrieri certain property located in the 8th Ward, City of Pittsburgh and providing for the cost of the payment thereof," by increasing the maximum authorized amount from \$28,500.00 to \$28,823.88, chargeable to and payable from Acquire Leased Facilities (Code Account 3-70-25-0020-89-90) Dept. of Finance, (Index Codes 741009-870055) as follows: (Code Account 3-70-25-0020-89 - \$15,000.00) and (Code Account 3-70-25-0020-90 - \$13,823.88).

Also,

No. 1132 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1133 Resolution authorizing the transfer of \$40,000.00 from Code Account 1082, Misc. Services, Supplies, and Equipment, etc., Dept. of Law to Code Account 1479-9, Worker's Compensation, Dept. of Public Safety, Bureau of Building Inspection. This transfer is necessary due to insufficient funds in Code Account 1479-9. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1134 Communication from Ben Hayllar, Director of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of May 31, 1990.

Which was read, received and filed.

REPORTS OF COMMITTEES

Michelle Madoff for Mr. Milliones presented

Bill No. 1135

Report of Committee on Finance for July 18, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1054

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Fourteen Thousand Five Hundred (\$14,500.00) Dollars, without previous authority of law, to O&M Industries, Inc., John P.

O'Leary, President, for a container for a compactor unit."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1057

A Resolution entitled, "Resolution providing for the transfer of funds totalling Three Hundred and Twenty Thousand (\$320,000.00) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water, Department of Water, and from Code Account 1977, Index Code 197707, Utilities, Department of Water, to Code Account 1927-9, Index Code 192799, Worker's Compensation, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1058

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$7,500.00 payable to Marta Wilkin and Phillip Wilkin, Husband and wife, c/o Howard A. Specter, Esquire, Specter Law Offices, P.C., 2230 Grant Building, Pittsburgh, PA 15219, in full settlement of personal injuries sustained on May 14, 1988 in a motor vehicle accident."

Which was read.

Also,

Bill No. 1061

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public

Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of July, 1990." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1085

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation."

---**(SPONSORED BY MR. DARKINS)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being the affirmative, the bill passed finally.

Also,

Bill No. 1090

A Resolution entitled, "Resolution amending Resolution No. 894 of 1989 entitled, 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for exe-

cution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account by increasing the amount available for subcontractor agreements by \$60,000.00."

Which was read.

Also,

Bill No. 1091

A Resolution entitled, "Resolution providing for the authorization to make all legitimate administrative expenditures necessary to implement the Pittsburgh Partnership Employment Program; providing for the periodic transfer of funds to reimburse for program administrative costs incurred, and providing for the periodic transfer of funds to be used for wages and fringe benefits for participants of the Pittsburgh Partnership Employment Program."

Which was read.

The Chair:

I'd like my comments brought forward also on Bills 1090 and 1091.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NOS. 1090 AND 1091, WEDNESDAY, JULY 18, 1990)

Mr. Ferlo:

I'd like the Director to come to the table and Mr. Farley.

First of all, I concur with my colleague Mr. Coyne in indicating appreciation to the Administration for dealing with a difficult problem that arose. I don't think anybody was to blame. I think the hearing was very productive and --

The Chair:

-- could I please ask that chatter be reduced in the room during Council discussion so that everyone can hear what's happening here? Mr. Ferlo, you have the floor.

Mr. Ferlo:

Just to follow up, I want to be clear with the changes that we're making in these two bills. The bottom line at the public hearing was the 58 positions that were specifically mentioned and can you just give us an outline as to how these bills actually achieve what I think we came to a consensus at the public hearing last week. Also, in terms of the contractual relationship with the School Board.

Ms. Smith:

After the public hearing the issue was that there were youth with disabilities within the school system that because of a change in our contracting procedure this year would be without service during the summer months and while slots had been made available under the regular summer youth contract, the nature and severity of some of the disabilities would have precluded certain youth from participating in that program.

After the Council hearing and speaking with Dr. Cohen from the School District, his recommendation was that given the late date meet for a school district board authorization that in fact it would be more expeditious for us to look at other contractors to serve these youth, that has been done. We've talked with VRC, Goodwill and ARC, and all three will take some of the youth. We're working out the transportation arrangements and this additional authorization of \$60,000.00 for more contracts will provide for the slots for those youth that would not otherwise get it.

Mr. Ferlo:

And this transfer would also allow for the additional transportation costs.

Ms. Smith:

Yes.

Mr. Ferlo:

The other outstanding issue that arose was that just generally doing some advance planning between now and next year to resolve this issue so it doesn't come up in the future and Mr. Coyne had made a suggestion of that committee and I've said that I'd like to see Mr. Coyne be on it and Mr. Wagner took the lead on this.

Is the Administration going to get that committee together in terms of doing the planning?

Ms. Smith:

I'm sure that there will be some group of people put together; we haven't directly worked on that issue yet, we were trying to work first on the immediate issue of the summer participation but I would hope that by this fall which is particularly early for us to start planning for the next summer that we be talking with the school district, getting a much better assessment of the youth in this particular program and what needs they have and then working out the best possible solution to insure that all of those youth can be served one way or another.

Mr. Ferlo:

And you will let us know when and if this committee gets formed.

Ms. Smith:

Yes.

Mr. Ferlo:

The other thing -- one question. Is there a need to clarify the application form? I realize that one does not indicate the extent of one's disability on it and maybe that's not the appropriate thing but somehow the screening has to be in place so you know the number of applicants and the category of applicants in terms of having available job slots. Is there a way to ascertain that through screening by the contracting agencies or by an advocacy group?

Ms. Smith:

Usually we get a better sense toward the end of the summer after people are actually enrolled because it's an optional question they may or may not choose to identify themselves as a person with disability but during the course of program activity that might become more apparent.

We've had three to four programs each year which specifically served persons with disabilities and then there would be additional participants who might not need to be served in one of those programs but would participate in the general program and that's the group we always have trouble identifying.

Mr. Ferlo:

The issue that Mr. Wagner raised at the hearing on the issue, if you have limited dollars, how do you begin to establish a public policy about recognizing those who are most in need versus other categories of young people who possibly could find through find private initiative efforts by the Administration, jobs at McDonalds or Arby's or those kinds of positions. That's something that this committee has to struggle with also.

Ms. Smith:

I think that's right in terms of where the dollars go.

Mr. Ferlo:

I hope we will be hearing back from you.

The Chair:

I also would like to commend you Director and Mr. Farley for acting expeditiously on this issue and even more so than that I would like to commend the public who requested the public hearing and participated in the hearing and brought this issue in front of Council. So we're finding a resolution to the problem this year and hopefully permanently in the future. Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 1098

A Resolution entitled, "Resolution that the City Treasurer, the Chief of Building Inspection, and the City Zoning Administer, on behalf of the City of Pittsburgh, are hereby authorized and directed to, within ten (10) days of final passage of this resolution, begin a comprehensive review of all properties in the City of Pittsburgh which serve as sites of outdoor advertising."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on Bills 1090 and 1098.

Mr. Cohen:

I'd like my remarks brought forward on Bill No. 1098.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. COHEN, FERLO AND WAGNER'S COMMENTS ON BILL NO. 1098, WEDNESDAY, JULY 18, 1990)

Mr. Cohen:

I want to take the opportunity to commend Councilman Ricciardi on this. I support it and I think we need to move to make sure that the billboard companies pay their rent, pay their taxes and also in my view the most important issue that you raised is whether they are assessed at the proper level and that's what I wanted to ask you a question about. That is in the County's prerogative as to what the assessment is right, so if we determine, let's say that the Gispea students with your supervision of course determine that the assessments are low, what action do you suggest we take to try to increase those assessments and to influence the County?

Dir. Hayllar:

That procedure is in place. We would appeal it to the Board and have a hearing and we would state our case as to how we believe the assessments should be properly done. We do this on an ongoing basis and we would do that in this case.

Billboards are unique in that the land itself has probably no other use and the issue comes down to whether to contain in your appraisal or your assessment the revenue derived from the billboard. Probably unlike any other structure, there's no other use specifically for that land other than the land that it has been used for. It's hard to compare it to two buildings.

In the case of assessing buildings, if you have two identical buildings side by side and one is rented at 100 percent and one is rented at 20 percent, the assessment would be identical because it's the value of the building and the land. Whether the billboard rents space or not becomes irrelevant in that analogy. It's a very complicated issue. There are those -- and one of the state representatives has issued a letter dealing with it. It's easy to simplify the complexity of the issue to make a case, it's a little more difficult than it appears to be at first blush and we want to be able to be certain that if there needs to be a change in the assessment process that we are able to do it and do it with justification.

Mr. Cohen:

Well there is a huge gap right now between the assessed value of property that's used for billboards and the appraisal value.

Dir. Hayllar:

Yes. Six or seven-fold but most of the appraisals are done in condemnation proceedings and in condemnation proceedings the buyer always pays more than top dollar because it is a compelled sale, it's not too willing of a buyer or a seller so the price goes up. So to make a comparison on bridges for example or billboards at the West End Bridge where there has been a condemnation, is not fair because that is in excess of its true value.

Mr. Cohen:

So you're saying they shouldn't be the same.

Dir. Hayllar:

They're not. There is easily a six or seven-fold difference between assessed and appraised value.

Mr. Cohen:

My point is and I know Councilman Ricciardi's point and one of the reasons for his pushing this is that maybe they shouldn't be the same, I don't know but there is such a huge gap that they should at least be close so that the assessed value -- and this is what we discussed at the public hearing on Becks Run Road. The assessed value has got to in some way reflect the revenue that can be generated from that property. A lot of these properties I think are about a patch of property as big as this table or not much bigger than that. One could look at that and say that's not worth much, that's only a little piece of property but in fact it's worth a huge amount because of what the billboard companies, the amount of revenue that they can get from that. So I do think that the gap between appraised value and assessed value of billboards has got to close so I commend Councilman Ricciardi and really would encourage you to move ahead and push the Board of Assessors to make that gap close.

Mr. Ferlo:

I support the intent of the legislation because I think subsequent to the debate on the issue before us this week, we need to know additional information about the billboard industry and secondly, under my review and I'm sure others, there is a lack of available recordkeeping within Building Inspection in relation to location of the specific billboards in question.

Dir. Hayllar:

We will move at the end of the summer because we have our people in the field going out and finding billboards and they can make certain that the records are there.

We know to date that BBI records are the most complete and seem to be quite good. That's not to say either our records or the Board of Assessment records are equally as good.

Mr. Ferlo:

Just two questions and these are more principled questions if we accept this resolution. First of all I'm glad the Administration has come to the table that say that you support this resolution and I hope in the future on other pieces of legislation and resolutions that Council will pass directing the staff to do certain things, so just be clear that you are in fact opening up and setting a precedent here which has not been done before. I'm glad you are doing that and I'm sure others will be thinking of other legislation requiring the Administration to come forward with certain kinds of information and to complete specific tasks so I hope you're clear on the issue here regarding acceptance and support for this resolution and I applaud you for being so progressive on this issue.

Dir. Hayllar:

It's easy to agree to do something you have been doing for several months.

Mr. Ferlo:

Secondly, the issue, and I don't have a strong feeling one way or the other, I want to know if there's any conflict of this resolution with other parts of the ordinance that talk about the privacy of various tax records, not the right for the Finance Department to do auditing which you have the power to do in making certain information public to everybody.

Dir. Hayllar:

Real estate taxes are public information, other taxes are not and in that privilege will be respected. We can deal with it in the aggregate but we won't discuss what the business privilege taxes of certain companies are.

Mr. Ferlo:

I want to be clear on that but I do support confidentiality but at the same time I would like to have the information available to Council and the public. Thank you.

The Chair:

I think it's an excellent piece of legislation. Let's vote on it, all those in favor? Opposed? The ayes have it.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1136

Report of Committee on Public Works for July 18, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1055

A Resolution entitled, "Resolution granting unto Piccolo Piccolo, 1 Wood Street, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the sidewalk of Fort Pitt Boulevard and Wood Street in the 1st Ward, 6th District of the City of Pitts-

burgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1137

Report of Committee on General Services for July 18, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1060

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing contract or contracts to purchase (1000 Gallons)

of firefighting foam for the Bureau of Fire and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 1138

Report of Committee on Parks and Recreation for July 18, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1086

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western

Pennsylvania Police Athletic League, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation." ---**(SPONSORED BY MR. DARKINS)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1139

Report of Committee on Public Safety for July 18, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 789

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Six, 'Conduct', Article I, 'Regulated Rights and Actions', Chapter 601, 'Public Order', by prohibiting the distribution or sale of cigarettes and other tobacco products through vending machines, with certain exceptions, and by providing penalties for the violation thereof." ---**(SPONSORED BY MICHELLE MADOFF) (AS AMENDED IN COMMITTEE)**

Which was read.

Michelle Madoff:

I would like to make a very slight amendment to the bill. We have, fortunately for us, a research person from Smoke-Free Pennsylvania, Mr. Godshall. They did some research for me last week by going into some of the places that are permitted to have the vending machines, and they're just too close to the front door. Even though minors are not allowed in, they can just sneak in because the cigarette machines are right at the door.

I have suggested in an amendment, which everybody has a copy of, that "no cigarette or tobacco product vending machine can be placed in a doorway or any other area which is easily accessible to minors." That is the amendment.

The Chair:

We have the amendment in writing. Everyone has seen it and read it. It is taking out a certain portion and adding the portion Councilwoman Madoff indicated.

Michelle Madoff:

May I clarify? The reason that little part is taken out, it does not clarify - it's too ambiguous - it doesn't clarify as to age and so on. It just had no meaning so we just took it out. It was not clarified by the actual state code.

The Chair:

You're taking out "Facilities to which persons under the age defined by statute are not permitted access" and you are including "No cigarette or tobacco product vending machine can be placed in a doorway or any other area which is easily accessible to minors."

Michelle Madoff:

That is correct.

The Chair:

Is there a second to that motion?

Mr. Ferlo:

Point of Order, Mr. Chairman. Can we vote on each one separately? Two separate amendments.

Michelle Madoff:

There's only one amendment.

The Chair:

It's Councilwoman Madoff's amendment and it's her will to vote on both of them.

Michelle Madoff:

I'm only eliminating something because there's a conflict between people who can drink at one age and can buy cigarettes at another age.

It just doesn't clarify it, so I just eliminated it. It doesn't affect the bill one way or the other.

The only amendment is just to move the machines from being easily accessible at the doorways.

Mr. Darkins seconded the motion.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 **NOES none**

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Ferlo:

One further amendment, Mr. Chairman. I think Councilmembers received a proposed amendment of Section B. The specific amendment will read as follows: "B. Except as provided for in Subsection C, no person, firm or corporation shall distribute or sell cigarettes and other tobacco products by the use of a vending machine or install or maintain a vending machine with the intent to make such distributions

or sales" and the specific amendment, "unless the vending machine is equipped with a disabling or locking mechanism which would require that the vending machine be activated before accepting payment." I'd like to make that motion.

Mr. Darkins seconded the motion.

Mr. Ferlo:

Just very briefly and then I'll turn it over to Michelle to rebutt the concern here. Basically, I think the concern that Mr. Ricciardi raised a week ago, and also a concern I believe that came up in the public hearing, had to do with maintaining the goal and both the symbolism as well as the goal of reducing the likelihood that the vending machines will be taken advantage of by young people.

This particular technology would enable, to use Mr. Ricciardi's phrase, the mom and pop shop who wants to maintain the vending machine either because of theft or inventory control, whatever the concern is. This would enable them to have to activate, either by remote or by other methods make accessible, the machine to anybody who wants to take advantage of putting the coins in and getting the cigarettes.

So, the action here is pro-active and would require an action by a store clerk or whoever is in the store to activate the machine before anybody, whether they be an adult or an under-age person. I think it's keeping in the spirit of reducing the likelihood that young people will avail themselves of vending machines. And also, I think it's being fair and reasonable in terms of what I think is both a symbolic act of this legislation as well as the real intent, and I strongly urge Council to be supportive of the amendment.

Michelle Madoff:

I would urge Council not to support the amendment because, unfortunately, I believe that my colleague, and I'm giving him the benefit of the doubt, is acting in good faith, but I have some concerns.

We just learned in the last few days about his amendment and, as you know, you have before you some data and documentation that I have distributed that addresses just the item that Mr. Ferlo has suggested as an amendment.

Utah passed legislation last year to prohibit the sale of cigarettes through vending machines which at this point has been extremely successful. It was our experience in Utah prior to our new law that tobacco vending machine owners or lessors did not comply with the old law which required the use of remote control devices. In rare instances where remote control devices were installed, of 22 in one survey were they rarely engaged therefore providing easy accessibility for cigarettes to kids.

In short, vending machine laws that allow for the use of remote control devices provide too many other exclusions, make compliance confusing and enforcement nearly impossible.

On another note, one argument against the machines is that no actual face to face contact with a potential customer is required. When the buzzer sounds, a clerk may simply hit the release lever, unlike the over the counter interaction which requires the buyer to stand directly in front of the clerk, exchange money, receipts, etc.

It has been suggested that most busy clerks, bartenders, etc., will soon begin to respond automatically - you know, like Pavlov's dog; you hear the buzzer and you buzz back - rather than interrupting their other duties to

check on identification. I have a whole litany of this kind of stuff.

Tobacco control advocates have generally opposed the locking device alternative because it is untested except in Utah where the state law requiring such devices were found to be ineffective and was repealed in a small community such as Woodridge, Illinois with very small numbers of machines.

What I'm asking, Mr. Ferlo, is to reconsider and withdraw the motion because what we're doing is cluttering the legislation to the point of confusion and what will happen is that it will not even be a legislation anymore. This happened with my garage bill that took three years to finally get through this Council.

If we really care about even that 16 percent of our children, youth, who have easy access to cigarettes -- Granted, they pay more for them out of a vending machine; it's much cheaper over the counter. They have to have the exact change. It is not something we want to encourage. Let's show our good faith by being progressive.

There are other communities such as 25 communities in Minnesota, several in Illinois, and the State of Florida has already instituted legislation that mandates the licensing of people who sell tobacco, the same as you license facilities that sell alcohol.

I think we should be going in that direction. Of course, that's a State kind of legislation; it's not local. I certainly would support it. But we ought to at least have the courage to take one little step and say, "Yes, we care."

As I said before, there are three people in my office who smoke; granted, not in my office. But they support this legislation because they don't want their children and other children to

get hooked on tobacco.

I plead with you, if you care -- You know, I know many physicians who are cardiovascular, having been married to one, and they'll tell you that in almost every case when they operate on cancer of the lung, that person has been a long-time tobacco smoker.

Let's not clutter this piece of legislation with a gizmo that has been repealed in other states. And as my good friend, Mr. Ricciardi, has said, since Mr. Ferlo deferred to his statement about mom and pop shops, they're not going to have the \$150 to spend on this gizmo. So, let's not circumvent this good piece of legislation. Let's get on with it.

Mr. Ferlo:

Just in response. First of all, I think the requirement of the \$100 to \$150 or whatever it is regarding the purchasing of this technology, that owner's responsibility would most likely and should fall on the vending machine industry and operators and that's just part of the cost of doing business.

I think this amendment is instructive and is in keeping with the good spirit of this legislation and that is the goal to reasonably enforce and reduce the likelihood of young people taking advantage of cigarettes through the vending machine process.

I also supported Michelle's other two amendments, especially the one on the doorway issue because I think again this strengthens my amendment which would more likely create a scenario where the machine is more readily in view of the store clerk or the counter help. And that's the reason why I supported the amendment that Michelle has offered.

I would like support for this amendment.

I think it's reasonable. I think it's fair, and I think it's in keeping with the intent of the legislation.

Michelle Madoff:

I think it's unreasonable and unfair and I believe that I didn't, nor did you, Mr. Ferlo, or any Member of this Council, go out and look at buzzers being used to release a lock on the vending machine. But there have been studies done. I don't think you think I'm lying to you, do you? I'm showing you the studies and I'm telling you that they don't work. And if they don't work, why are you just using "I think it's a good idea" when here is proof positive that it doesn't work. So, I'm suggesting that we do not vote for it.

Mr. Regan:

Maybe the clerks could put a pack on their back and put the cigarettes up there so they have plenty of time to think about it. I think it's ridiculous.

I've had problems with this bill all along. The only reason I voted in favor of Michelle was because of the kids. I think it's terrible that kids aren't disciplined by their family. And anybody owning a business would not only have to take care of the books, they have to take care of the stock, they have to take care of everything. Now, they have to take care of people's kids. The only reason I voted for Michelle, I know she's a lovely lady, but I voted for it because of the kids. Now she wants to make it so tough that you can't put them in the doorway. You know, what are the parents expected to do with their kids? Nothing?

Mr. Ricciardi:

Mr. President, are we on the amendment or on the bill?

The Chair:

We are on the amendment.

Mr. Ricciardi:

Thank you.

Michelle Madoff:

On the amendment, may I suggest that there are many women who have to go out and earn a living who cannot be the kind of mothers they would like to be supervising their children.

I also suggest that if indeed my colleague really means that he cares about children, and I think he does, and would like to do something, he understands the shortcomings of families today and the cost of living and supervising their children.

You know, we can say we shouldn't have laws on anything. We shouldn't have traffic policemen giving tickets and we shouldn't arrest people for violating tax laws and we shouldn't have police officers say, "You hit somebody on the head." We have to be a law abiding citizen; we have to have some rules. And here is a rule that I'm suggesting will only help in a very small percentage of the community and a very small portion of our children, but it means that we really care that we want to stop our kids from getting that slow death of cancer through cigarettes, coffin nails. I think it's time that we took that step.

The Chair:

I'd like to add a comment on the amendment. I think the amendment is effectively gutting the bill and I say that because a disabling or locking mechanism will probably permit the machine to be operated and continue to be open and permit the machine to be operated. Not just

one time, but on a continuous basis.

At the public hearing there was no indication of not even one fine by anyone in this City, by our City police or anyone from the Commonwealth, for anyone selling cigarettes to minors. There was not one fine that anyone can verify.

I am sure there would not be one fine also for a violation of disabling or locking mechanisms which, in essence, would permit the same situation to exist with cigarette vending machines anywhere. They would sit precisely where they are today with no changes except for a disabling or locking device which would not always be in use.

Mr. Ferlo:

Mr. Chairman, with all due respect to that position. I agree that there might potentially be abuses. But the fact of the matter is, and let's not b.s. the public or anybody else, this entire bill, even though I'm going to vote for it, is unenforceable. The fact of the matter is that Building Inspection will be the administrative arm of government required to enforce this ordinance, whether this amendment is accepted or not.

And the fact of the matter is, we don't even collect any income from this responsibility that we're now going to have. This bill is 90 percent public education and symbolism, and probably less than 10 percent having an actual impact on whether or not young people are actually going to ever get cigarettes in the City of Pittsburgh.

So, one of the problems with this bill, even though I support it, is the fact that we're putting an onus of responsibility on Building Inspection who is going to have to go out and scurry around and respond to complaints that might come up most notably from non-smoking

advocates. And we're not even collecting a fee for this which is probably part of the major problem associated with this bill and that is the lack of enforcement.

So, I think my amendment is being reasonable in keeping with the intent of the legislation and I don't think it detracts from it.

The Chair:

If I may respond, because you're responding to me. It's a heck of a lot easier to enforce the location of a machine than the operation of a machine. You need someone to supervise or overlook the operation continuously. The placement is a one-time visit to an establishment and if the placement is wrong, they're in violation of the law. With this locking mechanism or unlocking mechanism, they can still be placed anywhere.

Mr. Cohen:

Just to add to that, Mr. President. I think this is enforceable if we have citizens out there, and I know we do, who would be able to see the vending machines that are being used for under-aged youth. The enforcement in this situation would be in conjunction with the citizens of Pittsburgh. So, if the people out there who can identify vending machines will call the Bureau of Building Inspection, in cases like that I think it would be enforced.

So, I agree that it's not completely enforceable, but there are many laws that we pass that aren't completely enforceable and this would have a positive affect and at least be partially enforceable enough so that it would protect our children.

The Chair:

Is there any further discussion on the

motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins
Mr. Ferlo

Mr. Regan
Mr. Ricciardi

AYES 4

NOES 4

VOTING NO:

Mr. Cohen
Mr. Coyne

Michelle Madoff
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Ricciardi:

Discussion on the bill itself. Mr. President, some people might believe that this bill concerns children, smoking, and their access to the cigarettes. I disagree. I don't think the bill really directs the attention to young people deterring their ability to either gain cigarettes or stop smoking.

This bill is about placing an additional burden on the small business owner. The majority, if not all, of the small neighborhood grocery stores scattered throughout the City of Pittsburgh are either family owned and operated by parents, their sons and daughters, by brothers and sisters, or by one older adult who is trying to supplement their very small social security check.

I believe by banning vending machines across the board that we're placing an extra burden on these people. When that older adult in that store who is working upwards from 12 hours a day to make a few extra dollars turns his or her back to get that can of corn, some youngster, it has happened in the past, is going to reach across that counter, grab five packs of cigarettes and run. And that older adult is going to be out five or six dollars.

I believe banning vending machines across the board is placing another additional burden on that taxpayer, on that small business owner. We're trying to do our best in the City of Pittsburgh to lure non-City residents to the City, people with disposable incomes. But let's not forget especially the older adults that helped build the City of Pittsburgh that are now here, that are trying to hang on, that are trying to make that extra dollar or two. Why should we punish everyone because some vending machines were used by youngsters?

If the true intent of this bill is to stop young people from smoking, I believe we have to do that through parental guidance, through public education, and through example. We, as elected officials, can give the example. Our School Board can give the public education. But it's not our responsibility, and we can't give that parental guidance. And if this Council tries to take the place of the mother and father, we're in trouble. As Mr. Regan from the North Side has stated, that's a lot of responsibility for us. It should really lie with the parents.

As H.L. Mencken, an author, said at the turn of the century, "For every difficult problem in society, there is always a simple and direct solution, and it's usually wrong." And I think also in this case.

If I may add, though, at the end, I am a non-smoker and I believe it is a very deadly

product. But if the intent is to stop young people from smoking, let's not hurt that small neighborhood grocery store which is family owned or owned by a single older adult. Thank you.

Michelle Madoff:

My esteemed colleague from the South Side, we are both reiterating what has been said previously but I think we need to put this once more into perspective. Cigarettes are more expensive being bought through vending machines. Do we care only for the person who is making the sale or for all these people who have an addiction who have to pay more to compound their addiction. You have to have special coins; most machines will not accept dollar bills. Furthermore, we all know that addictive cigarette smokers do not buy cigarettes by the pack, they buy them by the carton because it saves a lot of money.

So, let's get to the issue that my colleague raised. The youth that comes in not only smokes and is getting cancer slowly, but is a thief. He's going to reach behind the counter and grab cigarettes when that salesperson is getting a can of corn. The shopkeeper may lose five or six dollars because of a theft. Well, I suggest that when you can't go in and out to buy cigarettes out of a machine and you have to wait for the clerk and there are one or two people ahead of you, you may buy the can of corn in addition to the cigarettes and you may buy some peas and you may buy some carrots and you may buy some soup. I'm suggesting that if you don't have the vending machine, I think the storekeeper in the small shop is missing a good bet. He's missing some good marketing techniques. Get rid of the vending machine and you'll sell more merchandise. And that's just common sense logic.

Mr. Regan:

I would just like to say, the young man

who was alleged to have taken those cigarettes has a right to a fair and impartial hearing.

I would also like to state that you don't have to have a mechanism like the Breathalyzer Test to figure out if your kid is smoking. All you have to do is have a nose and that doesn't cost anything.

Michelle Madoff:

One last comment. My research staff just informed me that the profits, and they're smokers and they're supporting this bill, the profits on cigarettes out of a machine is about ten cents a pack and so they're not going to be able to go to Vegas or have a vacation on the vending machine profits.

Mr. Ricciardi:

For a senior citizen, ten cents is a lot of money.

Mr. Cohen:

I'd like my comments brought forward for the Record, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 789, WEDNESDAY, JULY 18, 1990)

Mr. Cohen:

I'd like to speak to the amendment first.

I think it's a good amendment because what it does it makes the remedy more closely fit the harm. My concern here is that in the first clause, the not open to the general public is in the second clause and I question whether that phrase would apply to the first clause which says "private business establishment licensed by the Liquor Control Board and/or a full-service restaurant or a privately owned and operated club or association." What it really applies to is that full-service restaurant, so I could see how somebody interpreting this could say, "Well, full-service restaurants would be allowed to have vending machines even though they're open to the general public". That's the only thing I see that could be questionable here.

Mr. Ferlo:

Yes. First of all I should clarify, I really don't support this legislation. I'm trying to find something that I think is more reasonable and you're right on the issue of the full-service restaurant.

Mr. Cohen:

What is a full-service restaurant?

Mr. Ferlo:

It's a restaurant that may or may not necessarily have a liquor license but basically is frequented by adults.

Mr. Cohen:

I support the legislation and support the amendment except for that term there because it really does contradict or is inconsistent with the general spirit of the amendment about not applying to places that are open to the general public. So I would like you to entertain a thought of taking that phrase out.

Mr. Ferlo:

Absolutely.

Mr. Cohen:

Full-service restaurant. Does everybody see the problem as I see it? A full-service restaurant really is open to the

general public. That phrase, "not open to the general public" doesn't really apply to that first clause there so we have an inconsistency.

Mr. Ferlo:

It's not a contradiction.

The Chair:

Back to the amendment. Mr. Ferlo then you are eliminating the phrase "or a full service restaurant" from your proposed amendment.

Mr. Ferlo:

Absolutely.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1140

Report of Committee on Engineering and Construction for July 18, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1073

A Resolution entitled, "Resolution amending Resolution No. 1061, effective January 1, 1990, as amended, entitled, 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Pro-

gram; and approving the 1990 through 1995 Capital Improvement Program,' by increasing a line item (EC 369) by \$175,000.00 from \$450,000.00 to \$625,000.00."

Which was read.

Also,

Bill No. 1074

A Resolution entitled, "Resolution amending Resolution #326, effective April 3, 1990 entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Play Areas, including but not limited to 52nd Street Court, the 57th Street Court and Heldman Playground; and providing for the payment of the costs thereof,' by amending the title to include the Renovation of Kennard Playground and by increasing the total project allocation by \$175,000.00 from \$450,000.00 to \$625,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Very briefly, Mr. Chairman. Could you please communicate to the Administration our request prior to the public hearing on the recycling proposal and the draft ordinance, any written information regarding consultant studies, whatever we originally agreed to wanting to receive when we supported the expenditure of monies for the consultant. So, if we could just get that information so we could review it prior to the public hearing.

The Chair:

Mr. Perry, would you please make sure a letter goes out to the Mayor's Office in that regard immediately? Thank you.

Is everyone aware that we have a public hearing Thursday at 2:00 p.m.? The 2:00 hearing is on the Fire Safety Study for Public Safety. Okay, we're aware now. There's also one at 10:00 a.m. and one at 2:00 p.m.

Mr. Ferlo moved to approve the Minutes of Tuesday, July 10, 1990 and Tuesday, July 17, 1990.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo moved to excuse Mr. Milliones for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Ferlo**

Council adjourned.



MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday July 31, 1990

No. 31

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, July 31, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen presents

No. 1216 WHEREAS, every year the Bloomfield Business Association holds the Annual Marathon Morra competition; and

WHEREAS, Morra is a centuries old competition played throughout Italian communities worldwide requiring special hand coordination and mental concentration skills; and

WHEREAS, Morra champions must defeat a tough field of competitors in Bloomfield to gain their distinguished title; and

WHEREAS, Girolamo "Diamond Jim" Sciallo was crowned the Bloomfield Morra champion in 1988; and

WHEREAS, Ozzie Cercone was crowned the Bloomfield Morra champion in 1989; and

WHEREAS, Richard Mascio was most recently crowned the new Bloomfield Morra champion on May 5, 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends past and present champions, Girolamo Sciallo, Ozzie Cercone, and Dick Mascio for their expertise in Italian Morra and their numerous contributions to the Bloomfield community.

Mr. Cohen moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you members of Council. In the interest of everyone I have to tell you that I played this contest and I did play an Italian, but I was at a slight disadvantage because they can think in Italian and it made me a lot slower then they were. I unfortunately lost in the first round but I did lose to the person who became the champion this year and that's Dick Mascio.

So, I want to commend both of you for not just this contest but also for your really life long contribution to Bloomfield, and I would like to ask you to say a few words.

Mr. Mascio:

I really appreciate the fact that Mr. Cohen invited us down. I've played Morra since I was a child and like he said its a mind thing. It's just a matter of guess their fingers and don't let them guess yours. So, thank you very much.

Mr. Cercone:

Mr. Cohen and Members of Council, thank you very much for this honor and we appreciate it. I want to tell you that Morra was a game that we played from the time that we were little guys, and I'll tell you what if more communities would get into more things like that I think that drugs and alcohol would disappear. So, thank you for your encouragement today and I appreciate it.

Mr. Cohen:

I forgot to say very quickly that Mr. Sciuлло

couldn't make it this morning because he's ill. Jimmy, if you're watching out there I hope you get better real quick and I'm sorry you couldn't be with us this morning, thank you.

Mr. Coyne presents

No. 1217 WHEREAS, Tuesday, July 31, 1990 represents the official retirement date of Mrs. Gene Kincaid as an employee of Allegheny County; and

WHEREAS, since 1968, Gene Kincaid has served in various departments in County government including the Office of Register of Wills, the Department of Public Works, the Office of the Treasurer and the Office of the Controller; and

WHEREAS, since 1976, Gene Kincaid has served as the Supervisor in the Tax Lien Department of the County Controller's Office; and

WHEREAS, Gene Kincaid's commitment to public service can also be seen through her involvement in her community and the Democratic Party; and

WHEREAS, Gene Kincaid was elected to the Allegheny County Democratic Committee in 1962, has served as the Vice Chairwoman of the 15th Ward of the City of Pittsburgh, Treasurer of the Pittsburgh City Committee, and for 16 years has served as Chairwoman of the 15th Ward; and

WHEREAS, Gene Kincaid has worked in various capacities to improve her community, including directing the 15th Ward Heart Fund, and sitting on the boards of several community organizations; and

WHEREAS, Gene Kincaid's commitment was recognized by the Greenfield Organization in 1988 when she was selected Greenfielder of

the Year and by the Hazelwood, Glenwood, Glen-Hazel Council when she was honored with the Achievement Award.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby recognize Mrs. Gene Kincaid for her long standing commitment to public service and proclaims Tuesday, July 31, 1990 as Gene Kincaid Day in the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

With Gene today is the Honorable James Hanley the District Magistrate for the Greenfield, Hazelwood, Squirrel Hill area.

Thank you Members of Council. You all realize that I'm sure that being a Chairperson of a Ward in the City for 16 years is quite an accomplishment on itself, and it shows the durability not only of Mrs. Kincaid within the political field but also her ability to work with the different factions of the Ward to produce a strong democratic party, and Mr. Wagner I'm sure you'll be impressed to know that Mrs. Kincaid is a veteran of the Marine Corps. One of our few women veterans from the United States Marine Corps and it makes me also very proud.

First of all I'd like to see if Judge Hanley would say a few words concerning Mrs. Kincaid's career.

Judge Hanley:

Honorable Council, distinguished guests, I'd like to say a few words on behalf of Gene today. I've known Gene for over 30 years, she's been a

tireless worker in the community. She is loyal to people, a very, very fine person. You couldn't ask for a nicer person to be kind with people and very considerate. A very honorable person in all her dealings with people. It's been a pleasure to work with her in my years in politics and I find that she's a very, very fine person and she deserves this recognition today. Thank you very much.

Mrs. Kincaid:

City Council, my family and friends, thank you so much for making this day. I'll always remember it.

Mr. Coyne:

For the next proclamation if I could have Reverend Darkins come forward please, Brother Emenecker and Mr. Larry Staab.

First of all I would like to thank Reverend Darkins for allowing me to be part of this resolution. My office has been working with Brother Richard and the Cable Bureau since spring time on a special project which I think will be very beneficial to the residents of the City, especially those who are handicapped.

Through my involvement on the Board of the Association of Retarded Citizens and also through my involvement with the Three Rivers Center for of Independent Living, I've become very aware of some of the special needs which those of us who aren't handicapped may not face during our day to day activities, but it is the things that prevent others from taking full advantage of the different programs that the City may have to offer. Through Brother Richard's efforts and through some research we've done with some outside folks the City will start in September of 1990, Closed Captioning City Programming on the Cable Bureau.

It was brought to our attention that many of the programs the City has, the Building Inspection Programs, the Animal Control, the Public Safety Programs, the Law Department Programs, things like that, that if you're someone who is deaf or not even just particularly someone who is deaf but a senior citizen who is having problems hearing you can't take advantage of these type of programs, because you really can't hear it. So, Brother Richard has gone through the trouble and along with my office is working now to start the program for closed captioning in September of 1990.

I would also like to mention that Congress right now is undergoing work to pass legislation to make closed captioning a part of every television set so that there would only be a button that you would have to push on your T.V. set to make the closed captioning appear, because the boxes that are available right now are rather expensive and certain people can't afford it.

Also, the Pittsburgh CityLife magazine has won an award so this is sort of dual proclamation.

Mr. Coyne presents

No. 1218 WHEREAS, since 1982 the City's Bureau of Cable Communications has provided quality informational programming on City-Channel 17 about the activities and services of City government to nearly 100,000 cable subscribers; and

WHEREAS, since 1984 the Cable Bureau has received 23 programming awards from the National Association of Telecommunications Officers and Advisors, the National Academy of Cable Programming, and National Federation of Local Cable Programmers; and

WHEREAS, "CityLife", a monthly magazine style program, has received six awards in-

cluding the National Federation of Local Cable Programmers' 1990 first place award in the Magazine Format category; and

WHEREAS, beginning with September 1990 the fourth anniversary of "CityLife", the Cable Bureau will close-caption this series for the hearing impaired; and

WHEREAS, further, the Cable Bureau will close-caption additional programming, and the Cable Company TCI of PA, Inc. will assist in promoting this new service for the hearing impaired, enabling all cable subscribers to benefit from City-Channel 17.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby commends the entire staff of the Bureau of Cable Communications in the Department of Public Works for their consistent outstanding achievements and dedication to quality government programming and for their efforts in responding to the needs of the hearing impaired cable subscribers of the City of Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Darkins:

We're so glad that this day has been set aside that we would honor Brother Richard and the Cable Bureau because I feel no question in my mind that they're doing a great job and we're looking for even greater things in the future.

Brother Richard:

On behalf of the entire Cable Bureau staff I'd like to thank City Council for this recognition. It's always nice to receive honors for work by na-

tional organizations. It's even a sweeter joy to come back home and to see that recognition acknowledged by City Council.

As you are well aware the task of programming a television channel on behalf of the government is not an easy task. It involves a lot of people. We have a very dedicated staff that put in many long hours. Especially, with City Council meetings at times, but we are very proud and very happy to receive this recognition, and we look forward to that next challenge. The next challenge is making the programming available to all cable subscribers. That is the hearing impaired subscribers as well. That's not going to be an easy task. However, with Councilman Coyne's leadership and some of the doors that he has opened for us we believe we are going to be able to respond to that challenge, and ultimately next year we hope to have City Council meetings also closed captioned for the hearing impaired. So, again on behalf of the entire Cable Bureau staff, thank you very much.

Mr. Staab:

I'm usually behind the camera, but I do want to thank all of you for your support in our efforts providing this service, and I especially want to thank Collin, Henry, and the folks upstairs for their good work. Thank you.

The Chair:

I'd also like to add that I really think we have the finest Bureau of Cable Communication in the country. Thank you.

Mr. Darkins presents

No. 1219 WHEREAS, under the leadership of Program Director Karen Payne-Powell, in May of 1989 of Homewood-Brushton YWCA implemented the Job Plus Program; and

WHEREAS, Job Plus is a ten week pre-employment readiness training and job placement program for low income single mothers ages 18-24 who are unemployed or underemployed; and

WHEREAS, to date 48 students have completed the Job Plus Program; and

WHEREAS, students are trained to be proficient data entry operators, along with receiving personal development and career counseling including assistance with transportation and child care needs; and

WHEREAS, upon completion of Job Plus, graduates are employed with major corporations such as Health America, Mellon and Pittsburgh National Banks.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, commends the Homewood-Brushton YWCA Job Plus Program for its dedication to fostering and supporting the development of young women in their pursuit to achieve and reach self actualization.

Mr. Darkins moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Karen Powell who is the Director of the Homewood-Brushton YWCA and she is accepting this, and we'd like her to have something to say.

Ms. Powell:

Thank you. On behalf of the YWCA of Greater Pittsburgh, the Homewood-Brushton YWCA, and the Job Plus Training Program, I

would like to thank Councilman Darkins and the rest of the Council for this honor and this privilege, and also for the recognition of the Job Plus Training Program. Thank you.

Mr. Darkins:

This is going to be an unusual resolution, because Mr. President this gentleman is one of my constituents in my Council district, the unusual part about it is his house of worship and dedication is in Councilman Ferlo's district.

Mr. Darkins presents

No. 1220 WHEREAS, Elder Oscar Timothy Tillman will achieve the age of 100 on August 22, 1990, and will be officially honored in a formal black tie celebration on August 4, 1990 at 6:30 p.m. at the Palace Inn Hotel, Pittsburgh, Pennsylvania; and

WHEREAS, Elder Oscar Timothy Tillman accepted the Lord Jesus Christ as his Savior in the year 1921 and thereafter received the Holy Ghost into his life in the year 1922; and

WHEREAS, Elder Oscar Timothy Tillman accepted his calling from the Lord to preach the gospel in the year 1923 and thereafter pastored five churches throughout the State of Pennsylvania and was the first Pastor from the International Churches of God in Christ to build a church from the ground up in the City of Pittsburgh; and

WHEREAS, Elder Oscar Timothy Tillman traveled to Canada in the year 1950 to receive his Theology Degree from American Bible School and since then has acted as mentor, teacher and counselor to hundreds of men and women throughout the United States; and

WHEREAS, Elder Oscar Timothy Tillman has excelled as a skilled professional with

abilities in the areas of financial management, business administration, English composition business marketing and crisis counseling; and

WHEREAS, Elder Oscar Timothy Tillman has reached a plateau in life at the age of 100 that less than 98 percent of Americans realize and at this moment he still has control of his mind, bodily functions and a strong command of the Word of God.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim August 22, 1990 as Elder Oscar Timothy Tillman Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Tillman:

Thank you to the elders, ministers, and missionaries, and also to a great Councilman Brother Darkins and all of his associates. I'm just happy to be here. First time I've been to a place like this but I'm no stranger.

I want to tell you what God do for one he'll do for the other. My life has been set apart to serve the Lord, and I credit that part to the good Lord. When you give your life to the Lord you have to clean up the temple that the Lord dwell in, and when he come in your temple then its up to him how long he lets you carry him in your temple, and I've carried him almost a hundred, and I don't know how many more, but I'm thankful to be here at a place I've never been before.

But, I want to say to you I've come to Pittsburgh in 1923, July 2. Hired to the Western House one of the greatest machine operators that was in Western House that's what my Daddy

was. But, my skill is to work for the Lord. I'm Pastor in one of the Councilman's district. My home is in Darkins' district and I've never been arrested and put in jail since I've been in Pennsylvania, and I think that's credit to a man that's 100 years old.

I quit smoking cigarettes along time ago, and I quit drinking wine and beer, and so all this adds to your life, and if you want to live long treasurer those things. It ain't just for one man it's for all of us, and I'm thankful to see one of our great men of our City working in here with you great men and women, Councilman Darkins, and I'm glad he helped get on this program. I'm not scared and I'm not out of place. I just can't talk like I want to, because time won't allow. I want all of you to pray for us and come to see us. We're right on 40th Street just before you cross the bridge. Come down, especially the Councilman. The church is in his district. Thank you.

Mr. Darkins presents

No. 1221 WHEREAS, 1990 commemorates the fifteenth anniversary of the Connie Hawkins Summer Basketball League; and

WHEREAS, the League carries the prestigious honor of being ranked fourth in the nation by the National Collegiate Athletic Association; and

WHEREAS, since June 15, 1975, the League has inspired team spirit and positive competitive attitudes for communities throughout the City of Pittsburgh; and

WHEREAS, the League has featured outstanding stars like: Connie Hawkins, Kenny Durrett, Norm Nixon, Sam Clancey, Charles Smith, Clyde Vaughn, Bill Varner, and Tyrone Howard at their summer games; and

WHEREAS, in conjunction with the Champions Association, Inc. the League has encouraged and supported over 500 students to continue their education and be in accord with constructive pursuits.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Pittsburgh proclaims July 26th as the Connie Hawkins Summer Basketball League Day in the City of Pittsburgh and extends well wishes that triumphs continue to follow the League throughout all its endeavors.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like to have some of the younger guests here today from the Blockbuster Video to come up.

Bishop Darkins, that was a great resolution. I appreciate you honoring a great man. I might have to make it over to that church on Sunday, I'll tell you that much.

Mr. Ferlo presents

No. 1222 WHEREAS, Blockbuster Video, America's Family Video Store, will launch during the month of August a Kidprint program to help address the problem of missing or exploited children; and

WHEREAS, Blockbuster Video's "Kidprint" program will allow parents to take their children under the age of 12 to any Blockbuster video store to have the child video taped for free; and

WHEREAS Blockbuster Video's "Kidprint" program will provide parents a permanent record of their child, which will record the name, age, appearance, voice and mannerisms of each child; and

WHEREAS, in 1988 along, almost half a million children were missing and a Kidprint video tape will be a valuable aid for parents in the unfortunate event of kidnapping or disappearance; and

WHEREAS, Blockbuster Video along with the National Center for Missing and Exploited Children and celebrities such as John Walsh, whose own son Adam Walsh was the subject of an abduction and subsequent murder, and Wayne Newton, have affiliated themselves with the program;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Blockbuster Video for their concern and creativity in creating a valuable tool to address the tragedy of missing and exploited children; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, proclaims the month of August to be Blockbuster Video Kidprint Month in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. Mr. Chairman, we have a couple of guests here Mr. Jim George and Mr. Paul Soscia. Mr. Soscia is the Executive Vice President of Blockbuster Video. I'd like to call on him to say a few words about the program.

I just want to say I've worked a lot in the community over the years and I've found this company to be very sensitive and very supportive of neighborhood organizations and efforts in the community, and I'm sure as other Council members work with neighborhood groups in their districts, please feel free to call on this company. It's a very responsible company. They were very helpful to me a couple of months ago on a neighborhood-wide clean up effort that we had throughout my neighborhoods in Council District 7.

Recently, I participated in a very creative program with of all people Mr. Robo Cop himself, and this was supporting the Boys and Girls Club in Lawrenceville. This was an effort on another version of "Kidprint" and that was with a camera taking the picture and giving the child an I.D. This effort is a little more creative utilizing the video equipment, and at this time I'd like to thank the company on behalf of my office, and on behalf of the City here, and also I'd like to call on Mr. Paul Soscia the Executive Vice President of Blockbuster Video to say a few words.

Mr. Soscia:

I'd like to thank all the Council members for supporting us in this effort that we are making. "Kidprint" as Mr. Ferlo said is starting August 5th in all Blockbuster Stores, three of which are within the City limits. One on Baum Boulevard, one on Poplur Street, and one at the Waterworks Shopping Center.

We hope to "Kidprint" 15,000 children in the month of August, and we have also secured the support of the Pittsburgh Pirates who are co-sponsoring this with us, and August 26th, the Sunday afternoon baseball game we will do "Kidprint" at Three Rivers Stadium. So, I would ask for any help you can give us in getting children to show up at the stores or at Three Rivers

Stadium would be greatly appreciated. Thank you.

Mr. Ferlo:

I think he got a little nervous while he was up here because I wanted him to plug his three stores here in the City of Pittsburgh, and also to thank the Blockbuster Video. I know when the neighbors in the Friendship, Bloomfield area have concerns and problems with their construction of the building on Baum Boulevard, they took extra measures to resolve any concerns and they did it really sensitively the construction of that new building, and I want to thank them for that. I know that place because I just joined a few weeks ago, and they have some great old movies, if you like old movies. So, you should rent from Blockbuster Video.

Mr. Cohen also goes there. But, I think they have two other stores here in the City, and I think we should at least give them a plug of those two stores. One's on McKnight Road and one is in the South Hills. So, we have at least one in the City and a couple in the area, and I ask you to support them, and if you're interested, if you have neighborhood groups City-wide be in touch with Blockbuster Video, and maybe help plug and promote the "Kidprint" initiative this month. Thank you very much members of Council.

Mr. Ricciardi:

I'd like to ask the following people to please step forward. They are board members of the South Side Community Council. President, Chris Comfort; Virginia Carik; Mary Dujanovich, Tom Waschak, and Attorney Randy Rayl.

Mr. Ricciardi presents

No. 1223 WHEREAS, the South Side Com-

munity Council placed 2nd in the Nation in the National Neighborhood of the Year Award for 1990, which is sponsored by Neighborhoods, USA; and

WHEREAS, the South Side Community Council received this recognition for its "Don't Get Hooked On Drugs," program for children and adults; and

WHEREAS, the South Side Community Council began this program a year ago and has expanded it further this year; and

WHEREAS, the South Side Community Council conducts an evening program each year that brings children and adults together to learn about drugs and the consequence of drug use from the City Narcotics Officers;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby salutes the South Side Community Council for its work with the "Don't Get Hooked On Drugs" Campaign.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. As all of us know how important it is today to educate not just our youth but all adults in the community concerning the dire consequences of drug use, and this is something one community group, the South Side Community Council has take up. I'd like to ask our President, Chris Comfort to if you'd please say a few words.

Ms. Comfort:

Thank you, Councilman Ricciardi. On behalf of the entire South Side Community Council, I'd like to thank City Council for this resolution.

For well over a quarter of a century the South Side Community Community Council has been actively involved in all aspects of our community. We've worked very hard to ensure that our community is a neighborhood to be proud of, and that it is a safe place to raise our children.

A little over a year ago in June, 1989 the Public Safety Committee on the Council under the Chairmanship of Tom Waschak brought to the boards attention the need for a Drug Education and Awareness Program. We all knew that education is one of the best ways to prevent our children from using drugs and from drugs taking over our community. To that end we looked for a program that would address not only the adults but also the children of the community. Finding nothing that met our needs we started our own "Don't Get Hooked Program".

In September of 1989 we held our first "Don't Get Hooked" night. It brought together well over 200 children, parents, and educators with the purpose of having an evening of fun and drug education. This evening alone required well over 900 volunteer hours in the efforts of over 30 volunteers.

We all knew that it was the concern commitment, dedication, and caring of our volunteers which would ensure our program success. Since then our program has proved to be an excellent vehicle for opening communications between both the children and their parents as to the dangers of drugs. Not only their use but drugs in the community.

We all know that an involved community is a strong community. We also know that our in-

volvement and the involvement of our residents and children will ensure that our community will stay safe and drug free, and our children can learn to say no. Thank you very much.

Mr. Ricciardi:

As you can tell from her presentation, Chris Comfort has been doing a superb job as President of the South Side Community Council.

Next, I'd like to introduce you to the man Tom Waschak who brought this program to the second in the nation and showing others what can be done with such a worthwhile program. Thank you, Tom.

Mr. Waschak:

Mr. Chairman, members of Council, thank you, Mr. Ricciardi. I did not bring the program myself. I have 14 members on my Public Safety Committee who love the South Side and who are concerned for the future of our children. It is because of that that we brought "Don't Get Hooked" to the community, and we are very pleased with the residents of the South Side, their involvement and enthusiasm.

This past March we had a fund raiser in order to keep "Don't Get Hooked" going. At the Market House on the South Side we had the Pittsburgh Steelers play the South Side Community Council All Stars. That night we had over 550 people attend. We raised over \$1,000 for our "Don't Get Hooked".

Our next program will probably be in October and I will be inviting Mr. Ricciardi and the rest of Council to attend that night, and I hope to see you there. Thank you very much.

Mr. Ricciardi:

And, I have to add the South Side All Stars

did win that game; am I correct Tom? And, it wasn't a close game with people like Craig Prosser out there who had a lot of experience and was able to do it well.

Just on a brief note. We'd like to thank Attorney Randy Rayl not for just his volunteer time he adds to the South Side Community Council, but for his free legal advice, and I would just like to say something on a short motion. Just that a lot of times in the South Side area I've been credited with some of the successes we've had, and let me tell you how easy it was. I didn't create anything. They just handed the ball to me and those are the two special ladies Virginia and Mary who have given many years. Each of them over 20 years of volunteer service to the South Side, and Mary Dujanovich and Virginia Carik those are the people who really get the ball done in the South Side community. They just hand it to me once in a while and I try to back-end a few people. So, thank you very much. Thank you, colleagues.

Mr. Coyne:

Mr. Ricciardi, I would also like to comment on Mr. Waschak. Tom, I think is a perfect example of what a Pittsburgher is supposed to be. Tom had the opportunity a few years ago, went to Washington, D.C., and worked for the United States Secret Service, decided to return back to Pittsburgh and is currently a Lieutenant on the Port Authority Police Force, and serves not only the needs of the Port Authority, but comes to the aid of a lot of police officers throughout the City of Pittsburgh.

I think Tom is a fine example of someone who loves the City of Pittsburgh, who had the opportunity to see what it was like somewhere else, and decided to come back and raise his family here. I'd just like to commend him.

Mr. Ricciardi:

Thank you, Mr. Coyne. Thank you, colleagues.

Mr. Cohen presented

No. 1146 Resolution providing for the issuance of a warrant in favor of CSX Transportation, Inc. in the amount of \$3,373.28 in payment of railroad flagging expenses incurred during the Rehabilitation of the Charles Anderson Bridge, payable from Code Account 4-13-05-0452-86.

Also,

No. 1147 Resolution providing for the creation of a special trust fund to be known as "Computerized Traffic Control System" (CTCS) for the deposit of funds and reimbursements to be used for the Installation of a Computerized Traffic - Responsive Traffic Control System. Funds shall be deposited in the Department of Engineering and Construction's Unrestricted Cash and Credit Code Account 3-13-10-0529-90.

Also,

No. 1148 Resolution providing for the creation of a special trust fund to be known as the "Arlington Avenue Trust Fund" for the deposit of funds and reimbursements to be used for the Reconstruction of Arlington Avenue, Phase III. Funds shall be deposited in the Department of Engineering and Construction's Unrestricted Cash and Credit Code Account 3-13-01-0040-90.

Also,

No. 1149 Resolution further amending Res. No. 310, eff. April 25, 1980, as amended by Res. No. 327, eff. April 16, 1981, as amended by Res. No. 1007, eff. Oct. 14, 1982, as amended by Res.

No. 712, eff. Aug. 25, 1987, as amended by Res. No. 202, eff. April 3, 1989, entitled, "Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$900,000.00 from \$417,000.00 to \$1,317,000.00.

Also,

No. 1150 Resolution further amending Res. No. 1061, eff. Jan. 1, 1990, as amended, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 CDBG Program; and approving the 1990 through 1995 Capital Improvement Program," by amending the title and by creating a cost range for EC 90-49, Computerized Traffic - Responsive Traffic Control System (CTRCS).

Also,

No. 1151 Resolution further amending Res. No. 706, eff. Aug. 19, 1986, as amended by Res. No. 752, eff. July 24, 1990, entitled, "Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Boundary Street; providing for a Reimbursement Agreement with the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of the cost thereof," by creating a cost range for this Project. At a cost range of \$25,000.00 or more, but less than \$50,000.00, chargeable to and payable from Code Account 4-13-05-0001-86-\$25,000.00, and Code Account 4-13-05-0001-87-\$25,000.00.

Also,

No. 1152 Resolution further amending Res. No. 707, eff. Aug. 19, 1986, as amended by Res. No. 753, eff. July 24, 1990, entitled, "Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Panther Hollow; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of the cost thereof," by creating a cost range for this Project. At a cost range of \$25,000.00 or more, but less than \$50,000.00, chargeable to and payable from Code Account 4-13-05-0001-86-\$25,000.00, and Code Account 4-13-05-0001-87-\$25,000.00.

Also,

No. 1153 Resolution further amending Res. No. 1094, eff. Jan. 1, 1988, as amended, entitled, "Resolution adopting and approving the 1988 Capital Budget and the 1988 CDBG Program; and approving the 1988 through 1993 Capital Improvement Program" by increasing EC 88-77 by \$270,000.00 from \$5,150,000.00 to \$5,420,000.00. The total project allocation for the Grant Street Reconstruction, Phase IV, exceeded the original cost estimates.

Also,

No. 1154 Resolution further amending Res. No. 703, eff. 8/28/88, as amended by Res. No. 51, eff. 2/20/89, entitled, "Providing for a Contract or Contracts for the Reconstruction of Grant Street, Phase 4, from Fourth Avenue to Ft. Pitt Boulevard, including sewer reconstruction, waterline reconstruction, street lighting, necessary work on private property, and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with

the Commonwealth of Pa., Dept. of Transportation; and providing for the payment of the cost thereof," by increasing the total project allocation by \$270,000.00 from \$5,000,000.00 to \$5,270,000.00, chargeable to and payable from chargeable to and payable from EC 88-77. (PRIOR APPROVAL GRANTED)

Also,

No. 1155 Resolution further amending Res. No. 343, eff. April 21, 1989, as amended by Res. No. 614, eff. Aug. 3, 1989, as amended by Res. No. 392, eff. April 17, 1990, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of Various Recreation Centers, including but not limited to Ammon and Magee; and providing for the payment of the costs thereof," by increasing the total project allocation by \$500,000.00 from \$1,065,000.00 to \$1,565,000.00.

Also,

No. 1156 Resolution further amending Res. No. 1061, eff. Jan. 1, 1990, as amended, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 CDBG Program; and approving the 1990 through 1995 Capital Improvement Program," by amending the title and by creating a cost range for EC90-21, Arlington Avenue Reconstruction.

Also,

No. 1157 Resolution providing for a Contract or Contracts, or use of existing Contracts for the installation of fencing at the Route 51 Salt Storage Dome, at a cost range of \$5,000.00 or more, but less than \$10,000.00, chargeable to and payable from Code Account 3-13-30-0001-90.

Also,

No. 1158 Resolution providing for a Contract or Contracts for the Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase III, including work on private property and other work incidental thereto; providing for a Reimbursement Agreement with the Port Authority of Allegheny County, at a cost range of \$5,000,000.00 or more, but less than \$10,000,000.00, chargeable to and payable from the Arlington Avenue Trust Fund, Dept. of Engineering and Construction.

Also,

No. 1159 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of the Control Room for the Computerized Traffic-Responsive Traffic Control System at a cost range of \$100,000.00 or more, but less than \$150,000.00, chargeable to and payable from Code Account 3-13-10-0529-86.

Also,

No. 1160 Resolution providing for a Contract or Contracts for the Installation of the Computerized Traffic - Responsive Traffic Control System in the Central Business District; providing for a Reimbursement Agreement with the Commonwealth of Pa., Dept. of Transportation, at a cost range of \$1,000,000.00 or more, but less than \$4,000,000.00, chargeable to and payable from the CTCS Trust Fund.

Also,

No. 1161 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Renovations to the Dept. of Parks

and Recreation Warehouse and Shop at a cost range of \$250,000.00 or more, but less than \$280,000.00.

Also,

No. 1162 Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Renovation of Various Public Safety Facilities at a cost not to exceed \$266,998.00, chargeable to and payable from Code Account 4-13-80-1964-87.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 1163 Resolution transferring the aggregate amount of \$200,000.00 the amount of \$12,000.00 from Code Account 1502-1, Education and Training, to Code Account 1612-5, Rental of Equipment, and \$38,000.00 from Code Account 1505, Equipment, to Code Account 1612-5, Rental of Equipment, and \$150,000.00 from Code Account 1063, Misc. Services, to Code Account 1612-5, Rental of Equipment.

Also,

No. 1164 Resolution transferring the aggregate amount of \$35,000.00 the amount of \$30,000.00 from Code Account 1612-1, Repairs, to Code Account 1612, Materials, and \$5,000.00 from Code Account 1612-1, Repairs, to Code Account 1611, Supplies, all accounts within the Department of Public Works.

Also,

No. 1165 Resolution transferring the aggregate amount of \$32,000.00 the amount of \$20,000.00 from Code Account 1063, Misc. Services, to Code Account 1610, Misc.

Services, and the amount of \$12,000.00 from Code Account 1502-1, Education and Training, to Code Account 1610, Misc. Services.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1166 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for street lighting in the City of Pittsburgh at a cost not to exceed \$200,000.00.

Also,

No. 1167 Resolution providing for a Contract or Contracts, for the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh at a cost not to exceed \$117,693.62, chargeable to and payable from Code Account PW 89-12, Public Property Sidewalk Program.

Which were read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced to the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presented

No. 1168 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 6 & 11 by changing: From "M3"

Light Industrial and "M4" Heavy Industrial Districts to "SP-2" Herr's Island Specially Planned District all that certain property including the western half of Herr's Island bounded by: EAST OHIO STREET; MILLVALE BOROUGH MUNICIPALITY; the ALLEGHENY RIVER and Lot No. 150, Block 24-H in the Allegheny County Lot and Block System, 24th Ward.

Also,

No. 1169 An Ordinance amending the Pittsburgh Code, Title Nine, "Zoning", Article IV "Planned Development Districts", Chapter 973 "SP" Specially Planned Districts, Section 973.09(b), "SP-2" Herr's Island, also known as "Washington's Landing", by inserting item No. 4 & No. 5, creating Development Subdistrict C & D, and regulations therefore.

Also,

No. 1170 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article IX - Boards, Commissions and Authorities, Chapter 174 - Vacant Property Review Committee, Section 174.02 - Composition, by changing the composition of the Vacant Property Review Committee.

Also,

No. 1171 Resolution providing for an Agreement or Agreements with the following Community Based Organization for community and economic development planning assistance; Lawrenceville Citizens Council, Inc., Lawrenceville Development Corporation, and the Pittsburgh Partnership for Neighborhood Development, at a cost not to exceed \$68,328.56, chargeable to and payable from the Community Based Organization Trust Fund.

Also,

No. 1172 Resolution authorizing the Mayor, the Director of Planning, and the Director of Engineering and Construction to enter into an Agreement or Agreements with Pa., Dept. of Transportation and the U.S. Federal Highway Administration for the receipt and use of funds for the construction of stadium; pedestrian ramps improvements, and directing the creation of a special trust account for the project. The Pa. Dept. of Transportation and the Federal Highway Administration have notified the City that they will jointly or individually grant up to \$2,300,000.00 to the City for the construction of this project. Funds will be deposited into the Stadium Ramps Project Trust Fund.

Also,

No. 1173 Resolution authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Commonwealth Dept. of Community Affairs for the receipt and use of funds for the design and construction of stadium pedestrian ramps improvements. The Pa. Dept. of Community Affairs has notified the City that it will grant to the City up to \$1,900,000.00 for the design and construction of this project. Funds will be deposited into the Stadium Pedestrian Circulation Improvements Account (CP 89-11), Index No. 865501, Account No. 4-35-05-4173-89.

Also,

No. 1174 Resolution amending Res. No. 893-89 authorizing the Mayor and the Director of City Planning to enter into Agreements for the design, engineering, and other professional services associated with the Stadium Pedestrian Ramps project, by increasing the project cost from \$350,000.00 to \$2,250,000.00; by increasing the design cost of the project to

\$600,000.00; and by authorizing an Agreement with the Stadium Authority for the construction of the project, chargeable to and payable from the Stadium Pedestrian Circulation Improvements Account (CP 89-11), Index No. 865501, Account No. 4-35-05-4173-89 (3-35-05-4173-89), "1989 Project Fund".

Also,

No. 1175 Resolution Repealing Res. No. 116, eff. March 8, 1988, entitled, "Amending Ordinance No. 31 of 1978, eff. Nov. 24, 1978, entitled, 'Declaring the need for a Vacant Property review Committee to function within the City of Pittsburgh and creating the same pursuant to the authority of the Urban Redevelopment Law, Act of May 25, 1945, P.L. 991, as amended' is amended to change the composition of the membership of the Vacant Property Review Committee."

Also,

No. 1176 Resolution approving an Agreement by and between the URA of Pgh. and North Side Civic Development Council, Inc. in which the URA of Pgh. will provide financial assistance in the amount of \$190,000.00 to North Side Civic Development Council, Inc. for site work for residential units to be constructed in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund. (COUNCIL DISTRICT #6)

Also,

No. 1177 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned in the 20th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 21N Lots 239, 240 and 241 (Stafford Street), for the sum of \$1.00, under the Residential Land Reserve Fund. This property

is being acquired for sale to the owners of the two adjacent structures for sideyard use. The property contains approx. 6,000 square feet. (COUNCIL DISTRICT #2)

Also,

No. 1178 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and various redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARDS) (COUNCIL DISTRICT #2)

Also,

No. 1179 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 5th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 10N Lot 265 (2015-2017 Centre Avenue), for the sum of \$1.00, under the Industrial Land Reserve Fund. This property is being acquired for future sale to Hill Community Development Corporation. It is the present location of their offices. They plan to rehabilitate the structure. The lot contains approx. 3,400 sq. ft. (COUNCIL DISTRICT #6)

Also,

No. 1180 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the public-owned property in the 5th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 26G Lots 25 and 29 (3628 & 3632 Colmar Street), for the sum of \$1.00, under the Industrial Land Reserve Fund. This property is being acquired for future sale to Geyer Printing Company. Geyer is currently expanding their facility located across the street and will use these lots for parking. The lots

contain approx. 8,700 sq. ft. (COUNCIL DISTRICT #8)

Also,

No. 1181 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 175D Lots 78, 79, 80, 81, 83, 85, 87, 89, 91, 95, 97, 99, 102 and 104 (Rosedale & Tioga Streets), for the sum of \$1.00, under the Residential Land Reserve Fund. This property is being acquired to assemble a site for future residential development. The property contains approx. 58,000 sq. ft. (COUNCIL DISTRICT #9)

Also,

No. 1182 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Nellie Allen for the sale of Parcel 5D (2010 Chateau Street), or the sum \$200.00, in the 21st Ward of the City of Pgh. in Redevelopment Area No. 27 (REARYARD). The property contains approx. 1,200 square feet. The redeveloper's address is 1446 Nixon Street, Pgh. PA 15233. (COUNCIL DISTRICT #6)

Also,

No. 1183 Resolution approving Contracts for Disposition of Land by and between the URA of Pgh. and various redevelopers for the sale of properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE). (COUNCIL DISTRICTS #3 & #9).

Also,

No. 1184 Resolution approving execution

of a Contract for Disposition of Land by and between the URA of Pgh. and North Side Civic Development Council, Inc. for the sale of Block 23C Lot 129 (211-213 Belleau Street), for the sum of \$2,000.00, in the 25th Ward of the City of Pgh. (RESIDENTIAL CONSTRUCTION). The lot contains approx. 10,800 sq. ft. The redeveloper is a Pa. non-profit corporation with an office at 415 E. Ohio Street, Pgh., PA 15212. The officers are Joseph Bute, President; David Spitzer, Chairman, and Harriet Henson, Secretary. (COUNCIL DISTRICT #6)

Also,

No. 1185 Resolution authorizing the URA of Pgh. to acquire that property in the 6th Ward of the City of Pgh. owned by the Buncher Company, and designated as Block 48D Part of Lot 75 (38th & 40th Streets), for the sum of \$1.00, under the Industrial Land Reserve Fund. This property contains approx. 116,400 sq. ft. The property is located adjacent to property owned by the Authority in the Lawrenceville Industrial Park. The Authority will acquire the property and then combine it with land already owned by the Authority to create a larger site for industrial development as flex industrial warehouse and office space. (COUNCIL DISTRICT #7)

Also,

No. 1186 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 48D Part of Lot 75 (38th & 40th Streets), for the sum of \$1.00, under the Industrial Land Reserve Fund. In order to clear the title to land located in the Lawrenceville Industrial Park area, the Authority is requesting authorization to acquire all of the City's right, title and interest, if any, to

the bed of a former river channel which ran through this property. The property is being acquired for development as flex industrial warehouse and office uses. (COUNCIL DISTRICT #7)

Also,

No. 1187 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and the Buncher Company for the lease/sale of Part of Block 48D Lot 75 and Part of Block 48H Lot 100 in the 6th Ward, for the sum of \$377,303.00 (WAREHOUSE/OFFICE USE). The redeveloper will construct two buildings of approx. 46,510 square feet and 96,540 square feet for flex industrial warehouse and office use. The site contains approx. 327,656 square feet and is located between 38th & 40th Streets in the Lawrenceville Industrial Park. Estimated development costs are in excess of \$2 million. The redeveloper will lease the property initially with a purchase occurring in or before the sixth year. The redeveloper is a Pa. corporation with an office at 5600 Forward Avenue, Pgh., PA 15217-0930. The officers are: Jack G. Buncher, Chairman and C.E.O.; Herbert S. Green, Vice-Chairman and C.O.O.; Ralph L. Coffing, Executive Vice-President; and Thomas J. Balestrieri, President. (COUNCIL DISTRICT #7)

Also,

No. 1188 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, of any, in and to the publicly-owned property in the 16th and 17th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 12P Parts of Lots 227, 226 and 225, for the sum of \$1.00, under the Industrial Land Reserve Fund. This property is being acquired for reuse as an area for parking, landscaping and vehicular access in

the expansion of the Wharton Square Shopping Center. The property is a strip of land containing approx. 10,000 sq. ft. running along 21st Street adjacent to the shopping center. The developer will be Twenty First Street Associates. (COUNCIL DISTRICT #3)

Also,

No. 1189 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Twenty First Street Associates for the sale of Block 12P Parts of Lots 227, 226 and 225 for the sum of 45,000.00, in the 16th and 17th Wards of the City of Pgh. (PARKING AND LANDSCAPING). The redeveloper plans to expand the adjacent Wharton Square Shopping Center and will use this property for parking, landscaping and vehicular access. The property is a strip of land running along Twenty First Street containing approx. 10,000 square feet. The redeveloper is a partnership with a office at Brinton Executive Center, 1051 Brinton Road, Pgh., PA 15221. The partners are: Stanley R. Gumberg, Ira J. Gumberg, Lawrence N. Gumberg and Andrew D. Gumberg. (COUNCIL DISTRICT #3)

Also,

No. 1190 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Homewood-Brushton Revitalization and Development Corporation for the sale of Parcels 13A and 13B (N. Homewood Avenue, Susquehanna Street & Clawson Street), for the sum of 1,000.00 per dwelling, 13th Ward of the City of Pgh., in Redevelopment Area No. 34 (RESIDENTIAL CONSTRUCTION). The redeveloper plans to construct 15 townhouse units on this property. The property contains approx. 42,000 square feet. The redeveloper is a Pa. non-profit corporation with an office at 805 N. Homewood

Avenue, Pgh., PA 15208. The officers are: George Carter, Chairperson; Sara Trower, Vice-Chairperson; Wade Lipscomb, Secretary; and Pamela Brown, Treasurer. (COUNCIL DISTRICT #9)

Also,

No. 1191 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Brighton Place Associates for the sale of Block 22M Lots 29, 26 and 24 and Block 22H Lots 213, 217, 223C, 223A, 223B, 223, 186 and 192 in the 25th Ward of the City of Pgh., for the sum of \$10,500.00 (RESIDENTIAL REHABILITATION). The redeveloper intends to rehabilitate the ten residential structures on these lots and improve two vacant lots for yard areas. The redeveloper owns additional structures in this area and will also rehabilitate their structures as part of the total development. (COUNCIL DISTRICT #6)

Also,

No. 1192 Resolution authorizing the URA of Pgh. to acquire that property in the 3rd Ward of the City of Pgh. owned by Rufus J. & Willie Mae Wheeler, and designated as Block and Lot 2D Lot 323 (11 Miller Street), for the Fair Market Value, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund. The property is being acquire as part of a land assemblage to provide additional area for residential development adjacent to the Crawford-Roberts Project. The lot contains approx. 2,600 square feet. (COUNCIL DISTRICT #6)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1193 Resolution amending Res. No. 465 eff. May 8, 1990, entitled, "Authorizing the issuance of a warrant in favor of Copy World in the amount of \$1,595.00 in payment for a fax machine for the Mayor's Office furnished for the benefit of the City without previous authority of law, and providing for the payment thereof," by increasing the authorized amount by \$500.00 from \$1,595.00 to \$2,095.00, chargeable to and payable from Code Account 1020, Equipment, Office of the Mayor.

Also,

No. 1194 Resolution transferring the sum of \$40,000.00 to Code Account 1045, Equipment, Department of the Mayor, City Information Systems from Code Account 1043, Misc. Supplies, Department of the Mayor, City Information Systems. The reason for this request is the necessity of acquiring additional computer equipment and workstations to meet increased user demands.

Also,

No. 1195 Resolution transferring \$6,000.00 from Code Account No. 1023, (102300), Misc. Services to Code Account No. 1022-1, (102210), Premium Pay, Pittsburgh Magistrates Court, Office of the Mayor.

Also,

No. 1196 Resolution transferring the aggregate amount of \$6,000.00, \$2,000.00 from Code Account No. 1023, Misc. Services, \$2,000.00 from Code Account 1024-9, Worker's Compensation, and \$2,000.00 from Code Account 1024-1, Equipment, totalling \$6,000.00 to Code Account 1024, Supplies, Pittsburgh Magistrates Court, Office of the Mayor.

Also,

No. 1197 Resolution transferring the sum of \$5,000.00 from Code Account 30 Refunds - All Other Taxes, to Code Account 50 Refunds - Sewage Charges, Department of Finance. Due to the water meter changeout program that has been ongoing, many water accounts have been adjusted due to incorrect readings, and consequently the sewage amounts billed have been overstated, since sewage is based on water consumption. As a result of this condition, the number of refunds has increased. This transfer should enable the Dept. of Finance to pay refunds for the remainder of 1990.

Also,

No. 1198 Resolution amending and supplementing Res. No. 1059 of 1989, eff. Jan. 1, 1990 as amended by Res. No. 200 of 1990, eff. March 20, 1990 as amended by Res. No. 552 of 1990, eff. June 5, 1990 entitled: "Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof of the fiscal year beginning Jan. 1, 1990 by making certain additions and corrections." This resolution is necessary because a page was omitted from the original budget amendment, Resolution No. 200 of 1990. (PRIOR APPROVAL GRANTED)

Also,

No. 1199 Resolution providing for an Agreement or Agreements with a laboratory or laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pgh. employees, candidates for employment and promotion, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1200 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the validation, administration, preparation, evaluation and research of Civil Service entrance and promotional examinations, at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1201 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, School Crossing Guards, Paramedics, other employees and candidates for employment and promotion, at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account No. 1100, Misc. Services, Dept. of Personnel and Civil Service Commission.

Which were severally read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 1202 Resolution authorizing the issuance of a warrant in favor of Ford's Flowers in the amount of \$7,177.25, in payment for the purchase of various plants and plant material, chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, Dept. of Parks and Recreation.

Also,

No. 1203 Resolution authorizing the issuance of a warrant in favor of United McGill Corporation in the amount of \$4,725.00 in payment for the purchase of boat docks for South Side Riverfront Park, chargeable to and payable from Code Account SPPTF, Special Parks Program Trust Fund, Dept. of Parks and Recreation.

Also,

No. 1204 Resolution authorizing the issuance of a warrant in favor of Joan Baker Designs, in the amount of \$972.00 in payment for the purchase of concession merchandise, chargeable to and payable from Code Account PCTF, Phipps Conservatory Trust Fund, Dept. of Parks and Recreation.

Also,

No. 1205 Resolution authorizing the issuance of a warrant in favor of Frank J. Zamboni and Company, Inc., in the amount of \$5,973.74 in payment for parts for the repair of Zamboni Ice Machines, chargeable to and payable from Code Account 1806, Materials, Dept. of Parks and Recreation.

Also,

No. 1206 Resolution transferring the aggregate amount of \$150,000.00 from Code Account 57-1, Retirement Severance Pay Sick Leave - \$50,000.00 and Code Account 51, Departmental Postage - \$100,000.00, to Code Account 1809-9, Worker's Compensation, Department of Parks and Recreation. This transfer is necessary in order to pay Worker's Compensation invoices for the remainder of the year. The Department has experienced an extraordinary amount of medical bills this year that were not budgeted.

Which were severally read and referred to the

Committee on Finance.

Also,

No. 1207 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of office partitions for the Dept. of Parks and Recreation at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1842, Equipment, Dept. of Parks and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 1208 Resolution providing for an Agreement or Agreements with the City Theatre Company, Inc., for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1990, at a cost not to exceed \$25,100.00, chargeable to and payable from Code Account 1838, Misc. Services, Recreation, Dept. of Parks and Recreation.

Also,

No. 1209 Resolution providing for a license to Duquesne Light Company for the installation, use, operation, maintenance, repair, renewal and for the removal of cables, wires and appurtenant facilities over, across and through certain property of the City, the William Magee Playground, fronting on Greenfield Avenue in the 15th Ward in connection with furnishing electrical service to the area.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 1210 Resolution providing for the issuance of a warrant in favor of NBI

Corporation, Fifth Avenue Place, Suite 2660, Pgh., PA 15222, in the amount of \$2,023.39 for computer equipment in the City Clerk's Office, payable from Code Account 1006, Equipment, City Clerk's Office, Index Code 100602.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 1211 Communication from Michael Perry, City Clerk, submitting the Second Quarterly Travel Report for 1990 from various departments.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1212

Report of the Committee on Finance for July 25, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 952

A Resolution entitled, "Resolution providing for the City Controller and the Director of General Services to enter into a Contract or Contracts, or for the use of existing Contracts to purchase an optical disk imaging technology system for the Controller's Office."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1004

A Resolution entitled, "Resolution providing for the issuance of a \$2000.00 warrant in favor of Navaughn Terry and Zach Winston in settlement of claim for a vehicle sold in error at the City Auto Pound."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1059

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$90,000.00 payable to Diane Clark Hoffman and David A. Hoffman, husband and wife, c/o Howard A. Specter, Esquire, Specter Law Offices, P.C., 2230 Grant Building, Pittsburgh, PA 15219, in full settlement of personal injuries sustained in a motor vehicle accident on May 14, 1988."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 1059.

Michelle Madoff:

I'd like my comments brought forward on Bill 1059, and I'd like to address 1095. On both bills I will be voting no.

Mr. Cohen:

I'd like my comments brought forward on Bill 1059, please.

(MR. COHEN, MR. FERLO'S, AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 1059 INSERTED ON THE FOLLOWING PAGES)

MICHELLE MADOFF'S COMMENTS ON BILL NO. 1059-Wednesday, 7/25/90

Michelle Madoff:

I think I asked the same question that I don't believe I have gotten an answer to; maybe someone else received it. This is a situation where supposedly it is a city tree.

Ms. Conturo:

That's right.

Michelle Madoff:

Supposedly it wasn't the first accident in that location. My question was, how did we let it go that long so we now have this almost \$100,000.00 liability? Did anyone get an answer to that?

Ms. Conturo:

With this particular tree there was a question -- there is a legal issue about whether or not we had actual notice as to any prior accidents with respect to it. Keeping that legal issue aside and the fact that that would be something that we would contend, there is -- there were markings on the tree, and we did not have actual records of any phone reports to us with respect to this tree.

Michelle Madoff:

This gets back to what we have been talking about, Mr. Wagner, for years, that a call comes in, perhaps at the Mayor's Service Center or to a Councilmember, there is nobody who is sort of an umbrella over the problem so we don't get sued because of this. This could have been avoided, because without question, there are other marks on the tree, the story around is we have had numerous calls, but nobody has the record, nobody will say, "I got a call and didn't follow-up on it. I am not going to be responsible for \$100,000.00 claim." The issue is so much bigger than this one claim. The only time we have a chance to address it is when something happens.

The point is we must have the Administration set up a mechanism where if a notice comes in, a person gets a carbon copy back on a complaint, so when somebody says, "I didn't get it," they have a copy back or the person knows they are going to get a copy back, and they call and say, "I didn't get my copy back. Is this being addressed?" We do that in our office; I've done it since they day I've been here. They get a complaint, we send back a Xerox of the complaint to the person, and a memo goes out that has gone on to the department so there is a follow through. We keep a copy to see that we get an answer.

There is no system to see that there is follow through.

That is how this \$100,000.00 claim occurred, perhaps hundreds of thousands, millions, that we don't even know about over the years. I strongly suggest that a mechanism be set up in the Administration to address this kind of issue.

I don't think there is anything we can do. I looked at the bills, and perhaps my learned colleague, the lawyer next to me will address that in more detail.

But the issue, it seems to me, there were a lot of medical bills and I don't know whether pain and suffering is the balance from 40,000 to 90,000. But on the other hand, the issue is not just this particular claim, it is others we just let go by and haven't taken care of.

Would you care to address what you know about the tree and why wasn't it removed?

Mr. Mancuso:

In 1986 we were called to this particular site to roof prune this tree in conjunction with some sidewalk damage that was done by the tree. At that time the tree was inspected, it was also pruned. The situation was that we were not put on notice again, according to our official records, which are fairly comprehensive, until after the accident occurred, and we responded to this, and at that point the tree was dead.

Michelle Madoff:

I am trying to figure out how somebody hit a tree on a sidewalk.

Mr. Mancuso:

I guess there are some legal questions about that. The tree was approximately six inches beyond the curb line, six inches. The point of impact was behind the curb line.

Michelle Madoff:

Was the person at fault driving?

Mr. Mancuso:

Again, I am just giving the facts.

Ms. Conturo:

These are all issues --

Michelle Madoff:

Is this one of the things we would rather settle than have them go to court? Because if they were driving on the sidewalk, I am not terribly interested. I would go to court on that in a

flash.

Ms. Conturo:

Unfortunately, there are eyewitnesses that say the driver was driving down the center of the road, so that is part of the evidence that we would have to refute in this case.

Michelle Madoff:

No witnesses?

Ms. Conturo:

There is a witness, there were witnesses on the sidewalk.

Michelle Madoff:

They were driving down the middle of the road, but they hit on the sidewalk? Very interesting. It must have ricocheted off six inches. Is that possible?

Mr. Mancuso:

Either that or we have trees that dance.

Michelle Madoff:

Why don't we just go to court on it? I think we are setting a terrible precedent here. The logic indicates it couldn't possibly have happened the way it is being portrayed. If that is the case, I think we have a solid enough case. It isn't the money involved that we are going to have to pay, it is the precedent you are setting.

Ms. Conturo:

Can I speak to that, please? The money that we would possibly have to pay if we went to court could be significantly higher than this, as it would be in the hands of a jury, and as the law in Pennsylvania is, any person, any defendant in the action that is found at all liable, 1 percent liable, could be responsible for paying 100 percent of the damages if the other parties don't have the wherewithal to make the payment. So that being the case and the city having a \$500,000.00 cap, our liability could be significantly greater than the 90,000 we are talking about.

Michelle Madoff:

How much could it be; \$500,000.00 cap?

Ms. Conturo:

Yes.

Michelle Madoff:

The point is, we could end up with millions, and probably have, because we are saying, "Oh, my God. We could have a \$500,000.00 cap, it could be more than this 90,000 and we are going to go ahead and pay it." At some point we have to say "No." We are going to go to court and send a message out there that we are not going to be a bank account for people who drive irresponsibly, if, indeed, that is the case.

Ms. Conturo:

The message, though, is something that might be nice, although the state of the law is other than that.

Michelle Madoff:

Maybe we need to change the state of the law.

(DELETED TEXT.)

Michelle Madoff:

Very briefly, I don't think, if I may Councilman Regan, this is pounding away at two good people. What we are saying is there is a problem. I don't want to send out the wrong message to the public. I think it will be far more costly to us by sending this message out, than going to court. That is just my personal belief, and I really believe that is the wrong thing to do. That doesn't mean you have to vote the way I do, I just feel very strongly that way. I don't believe it has anything to do with these two good people doing good jobs.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

MR. COHEN'S COMMENTS ON BILL NO. 1059-Wednesday, 7/25/90

Mr. Cohen:

I asked that this bill be held for a week in order to really discuss with the Parks and Recreation people the broader issue of trees that could get caught up in accidents like this, and I would like to address that. But before that, there is one point, Councilwoman, that has not been made here, and that is that the driver of the truck, who is one of the defendants, is contributing significantly, it is my understanding, to this settlement, and that the insurer of the driver is contributing up to the full amount of the insurance. So the city isn't paying the whole load here. That is not to say that the city is or is not liable, that is really the judgment of the Solicitor, and I will leave that judgment to you.

What concerns me is that the payment here is \$100,000.00, 97,000, and the budget for Forestry, for maintaining trees in the 1990 city budget, was \$337,000.00. We are paying the equivalent of one-third of the entire budget for this, for maintaining trees on this case. That is what bothers me and why I wanted to have somebody from Parks and Recreation here to discuss this briefly.

Carl Mancuso is here, and I appreciate you coming. We have discussed this before. But I would like to know what we can do to prevent this kind of major lawsuit in the future, and whether or not a survey can be done of trees in the city, whether or not they are leaning into the street and potentially contributing to an accident like this. Can we do a survey like that, Mr. Mancuso?

Mr. Mancuso:

Certainly we can look into doing that kind of survey. There are 180,000, approximately, street trees within the City of Pittsburgh. Of that number, you are going to find some that tend to lean in a direction that is not favorable for the cartway.

Michelle Madoff:

Chop them down.

Mr. Mancuso:

If it was a big, old, mature tree in front your house in the neighborhood, I think it would be an interesting problem to go out and do this on a preventative basis just because the trunk leans a little. I guess I don't know the answer to that particular type of situation.

Mr. Cohen:

Why don't you answer my question.

Mr. Mancuso:

What I would suggest is what we have already done and what Council has done by increasing our appropriation in this particular line item of our budget for trees, pruning and removal, by I think it was -- I don't know whether it was 50,000. Now, we have reduced the backlog that was at one point in time 10 years' worth of complaints just two years ago to where we are down only two and a half years of complaints. By 1992, if the appropriation remains the same, we will be doing preventive maintenance on trees in the city, which means that instead of our inspectors going out and reviewing claims or complaints, for example, they will actually be inspecting on a preventative basis the trees for work that needs to be done, identifying potential problems and moving us out of the kind of situation I think we have, where there is a question as to whether or not we really looked at the trees and analyze whether we have a problem or not. It is going to it take awhile to get there, and we have moved very consistently both through the 100,000 that is in the budget on an annual basis now, plus the 50,000 that if you remember we got from a foundation, a state foundation, that went towards the pruning of trees, and that has really helped us quite a bit. Once we get to the point where we are doing it on a preventative basis and just dealing with the complaints as they come in, a complaint takes ten days average to be inspected, and decided and determined whether it is a priority complaint or a routine complaint. If it is routine, it goes into this backlog you heard about. If it is priority, it is done, the work is done ten days after that on average.

Mr. Cohen:

But what is happening now is we get a complaint, then within that period of time we do the best that we can to try to see that the complaint is resolved. My point, and I am sure my colleagues would agree, is we should be proactive, not reactive. 1992 is too long to wait, in my view, that if we have two or three more of these \$100,000.00 cases, the budget is shot. So we are going to actually save money by inspecting to see what potential problems, what trees, are leaning out, what trees are even hurting sidewalks so that a person doesn't trip and fall and get the kind of injuries that you see, injuries even in a case like this. I know you can't do that without the money, so what I would like you to do is put together a package of what it would cost and how many people would it take to survey all the trees that are on streets in the City of Pittsburgh. I know there are a lot of them, but at the same time, we have to find out the ones that are particularly bad so that we can resolve the problem before a truck runs into it, the top is sheared off,

the sheared off top falls onto another car and a person is seriously injured, which is what happened in this case. So if you could, now that we are starting to head into budget hearings or it is at least not too far away, that would be important and then we can discuss it I think during budget hearings whether or not we can provide Parks and Recreation with the necessary funding for this.

I know with Councilman Ricciardi, who is head of that committee, we can work together to try to give Parks and Recreation what is necessary to do a survey and proactive maintenance rather than reacting and ending up having to pay \$100,000.00 in settlement costs.

(DELETED TEXT.)

Mr. Cohen:

I am not suggesting to anyone that we not pay this bill; absolutely we should pay the bill. Let's do everything we can to prevent it in the future. I think both you and your department are doing a great job, given the money that you have. Let's see if we can try to get them some more money.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

MR. FERLO'S COMMENTS ON BILL NO. 1059-Wednesday 7/25/90

Mr. Ferlo:

We have one survey of sorts, and that is the survey that somebody should be reviewing each month, the Mayor's Complaint Center and the 911 situation. We do have situations where residents will call in both trees that are an immediate problem, as well as more recently we had to settle a lawsuit here at I think \$75,000.00 for a "Stop" sign that was down that was called in. I think one thing I would ask the Administration to do is go back and make sure there is a system in place, a troubleshooter, whoever you want to designate, to review those kinds of complaints that come in on a regular basis to the Mayor's Complaint Center as well as through the 911 system. It is a generic issue that affects not only Parks and trees, but also "Stop" signs that are down in Public Safety. We need to utilize the public information capabilities that we have city-wide to make residents know that if there is a "Stop" sign down, they need to call 911 immediately.

Recently, the same incident happened following that settlement of that lawsuit, and it was phoned in to 911 and it was over a month before the "Stop" sign was taken care of. That shouldn't be. There should be an immediate troubleshooting of that specific complaint.

The same holds true for the tree kinds of problems that arise. I believe Director Turner should be doing that, he should be getting more of a hand on the Mayor's Complaint Center. Personally, I wonder why we even fund the Mayor's Complaint Center, and I am not sure I am going to vote again for that funding of that program. I would rather have the complaints come to City Council, because we are ultimately the ones who seem to get things done and deal with the problem. I would rather fund them under our purview.

(END OF REMARKS)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Milliones	Mr. Wagner (Pres't)

AYES 6

NOES 2

VOTING NO:

Mr. Ferlo
Michelle Madoff

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1075

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Milton G. Holt in the amount of \$575.00 in payment of appraisal services in connection with the proposed relocation of the Carrick Branch of Carnegie Library, (Council District No. 4), and providing for the payment thereof."

Which was read.

The Chair:

I'd like my comments brought forward on

Bill No. 1075.

(MR. WAGNER'S COMMENTS ON BILL NO. 1075 INSERTED ON THE FOLLOWING PAGE)

MR. WAGNER'S COMMENTS ON BILL NO. 1075-Wednesday, 7/25/90

Mr. Wagner:

I would like to add, we have been working on this for two years. We found what I consider to be an excellent location, and the first step is to have an appraisal done of the building, and that is what this bill pertains to.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 1076

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sonitrol Security Systems in the amount of \$3,645.00 for the installation of an electronic security system at Bloomfield Recreation Center in Council District No. 7; and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1077

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of \$34,585.47 in partial payment of an Emergency Contract to perform repairs on Clarence Street between Greenleaf Street and Well Street, in the 19th Ward of the City of Pittsburgh; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner

(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1084

A Resolution entitled, "Resolution providing for the transfer of funds totalling One Hundred Thirteen Thousand (\$113,000.00) Dollars from various City Department Code Accounts to Code Account 1132-7, Index Code 113274, Utilities, Department of General Services."

Which was read.

Also,

Bill No. 1092

A Resolution entitled, "Resolution providing for an Agreement or Agreements with P.B.A., Inc. The Second Step for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh during 1990-1991 and providing for the payment of the cost which is not to exceed \$40,000.00 and is chargeable to and payable from Code Account 1100 (110007) Miscellaneous Services, Department of Personnel and Civil Service."

Which was read.

Also,

Bill No. 1093

A Resolution entitled, "Resolution providing for an Agreement or agreements with various agencies for job development and employment

services in connection with the Neighborhood Employment Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1094

A Resolution entitled, "Resolution amending Resolution No. 605, Item H, effective June 13, 1990, which authorized the sale of property in the 25th Ward, being a 2-1/2 story, brick, detached house and a 1 story, concrete block storage building situated on a lot containing 3,300 square feet together with a very small vacant lot containing 800 square feet, located at 1525 Monterey Street and 1512 Wolpert Way, designated as Block 23E, Lot 270 and Block 23 J, Lot 51, to Robert A. Sandall and Sharon L. Sandall, Joint Tenants with rights of Survivorship but not as Tenants in Common."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1095

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Michelle Madoff:

I'm voting no on Bill No. 1095.

On 1095 since the one item was not removed from the sale of properties and that was Item H, I believe on Whipple Street in the Swissvale area, Swisshelm Park. I pointed out that I had bought a lot there ten years ago. I paid \$10,000 for that lot. I built an upside down house. That's what I was building and an upside down house. I sold the lot before the solar house was completed. That house subsequently sold at ten years ago for \$125,000, and it seems to me that \$1,750 is outrageous, and I want people listening to know that there's a lot at 128 Whipple Street, you can still go to the courts, you can bid on the property. If you think you can build an upside down house and get a variance -- it's a very level lot, very good, location will need a variance to build. But, variances are obtained all the time, and to buy a \$10,000 lot for \$1,700 is a steal. So, people just get your name listed. All you have to do is put up \$170 to be on the list. You get your money back if your bid is not the accepted bid.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 6 NOES 2

VOTING NO:

Michelle Madoff
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1096

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1213

Report of the Committee on Public Works for July 25, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1119

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Armstrong Square."

Which was read.

Mr. Ferlo:

Mr. Chairman, I want to vote in favor of this bill because I think its important that this development after having been stymied for a number of years move ahead. However, I do find it interesting to note that this property is on the Sheriffs Sale for back taxes, and I would hope that before the Public Works Director actually gives his okay on the Sewage Facilities

Plan that they would take care of that little matter.

The Chair:

Good point.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1214

Report of the Committee on Planning, Housing and Development for July 25, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1088

A Resolution entitled, "Resolution amending Res. No. 35, effective February 1, 1990, providing for an Agreement or Agreements with Consultant or Consultants for payment of services and expenditures for the activation and implementation of the 'Map Updating and Land Records Management Program' in the Department of City Planning at a cost not to exceed \$230,000.00 by also providing for a contract or contracts in form approved by the City Solicitor or the use of existing contracts, and specifying the services and expenditures in greater detail."

Which was read.

Also,

Bill No. 1089

A Resolution entitled, "Resolution amending Resolution No. 42, effective February 19, 1989, as amended by Resolution No. 393, effective May 11, 1989, providing for an Agreement or Agreements with consultant(s) to provide equipment software and aerial photographic products for a Land Records Management System, and obtain programming, system data base design, system management and training services related thereto, and to computerize records and base maps therefore, and providing for payment of the cost thereof, by also providing for a contract or contracts, in a form approved by the City Solicitor, or the use of existing Contracts."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1215

Report of the Committee on Engineering and Construction for July 25, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1078

A Resolution entitled, "Resolution further amending Resolution No. 1210, effective January 1, 1984, as amended, entitled, 'Resolution adopting and approving the 1984 Capital Budget and the 1984 Community Development Block Grant Program; and approving the 1984 through 1988 Capital Improvement Program,' by creating a cost range for an existing line item."

Which was read.

Also,

Bill No. 1079

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Design Services in connection with the Replacement of the Edgebrook Avenue Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1080

A Resolution entitled, "Resolution amending Resolution No. 235, effective March 13, 1987, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for Electrical and Lighting Rehabilitation at Fort Pitt Ballfield and various other locations, and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$102,261.73 from \$280,000.00 to \$177,738.27."

Which was read.

Also,

Bill No. 1081

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Rehabilitation of Various Landscape and Turfed Areas, including but not limited to Olympia Ballfield; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1082

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Fall 1990 Street Tree Planting Program; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1083

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the Construction of Bonair Basketball Court located in Council District No. 4; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No 1224 Resolution appointing Ralph Proctor, Jr., 322 North Lang Avenue, Pittsburgh, Pennsylvania, 15208, to the Human Relations Commission for a term effective immediately and to expire July of 1991. Mr. Proctor will fill the unexpired term of Ms. Pinkie Reed.

Which was read.

Also,

No. 1225 Resolution appointing James Cunningham, 145 Oakville Drive, Apartment 2-B, Pittsburgh, Pennsylvania, 15220, as a member of the Art Commission for the term of the Mayor. Mr. Cunningham is replacing Mina Gerall.

Which was read.

Also,

No. 1226 Resolution appointing Raymond Schinhofen, 5876 Northumberland Street, Pittsburgh, Pennsylvania, 15217, as a member of the Art Commission for the term of the Mayor. Mr. Schinhofen is filling a vacant position.

Which was read.

Also,

No. 1227 Resolution appointing Howard Graves, 3479 Beechwood Boulevard, Pittsburgh, Pennsylvania, 15206, to the Historic Review Commission for a term effective immediately and to expire December of 1991. Mr. Graves will replace Ralph Alster.

Which was read.

Also,

No. 1228 Resolution appointing John DeSantis, 937 Beech Avenue, Pittsburgh, Pennsylvania, 15233, to the Historic Review Commission for a term effective immediately and to expire December of 1991. Mr. DeSantis will replace Joan Ivey.

Which was read.

Also,

No. 1229 Resolution appointing Marilyn Detwiler, 1201 Resaca Place, Pittsburgh, Pennsylvania, 15212, to the Planning Commission for a term effective immediately and to expire January of 1996. Ms. Detwiler will replace Stephanie Ledewitz.

Which was read.

Also,

No. 1230 Resolution appointing Don Machen, D.M.D., Esq., 1256 Beechwood Boulevard, Pittsburgh, Pennsylvania, 15206, to the Planning Commission for a term effective immediately and to expire January of 1992. Mr. Machen will replace Edgar Michaels.

Which was read.

The Chair:

Is it the will of Council to have these appointments in front of Council tomorrow if possible?

Mr. Ricciardi:

Yes.

Michelle Madoff:

I believe it has been decided or there's been some movement by this Council and by the Administration to require that all appointees sign a statement saying that they would be removed from their positions should the Administration choose to do so.

Now, on most appointments that are a year and a half I don't think that is necessary. But I do believe when you get to the 1996 appointment which is five years hence, and even the 1992 appointment, I think it would be prudent so that we won't run into the same kind of problems we have.

We're representatives of this Council or people serving from the outside would not be willing to hand in their resignation should the Administration wish to have that happen, and I think that cannot just be a statement that I make, but would you follow through on that Mr. President to make sure how the Administration wants to handle that.

The Chair:

We would need a legal opinion I believe on that.

Michelle Madoff:

Okay.

The Chair:

I believe one was rendered Mr. Perry. Maybe if not we could get one prior to final vote on these appointments.

Michelle Madoff:

May I make a suggestion?

The Chair:

Yes.

Michelle Madoff:

That a memo is walked over to the Administration today, and dealt with before we vote, asking whether that is their intention and what help they want from us.

I think it is very non productive to have a disgruntled person sitting on a board when the Administration, whoever that Administration is, may not want to have them there. How does the Administration wish to deal with that? Its there problem.

Mr. Ferlo:

I just want to say I'm particularly concerned about the appointment of Mr. DeSantis to the Historical Review Commission, and the two appointees Ms. Detwiler and I believe Dr. Machin to the Planning Commission, so I hope that they'll be able to be here tomorrow.

The Chair:

Mr. Perry, if you would please attempt to get them here tomorrow. If not tomorrow the following Wednesday.

Mr. Regan:

I just like to say that I think Mr. DeSantis is a fine appointment.

Michelle Madoff:

So do I.

The Chair:

We're not voting on the appointments yet.

Mr. Regan:

I'd be proud and honored to have him be here tomorrow, and I'd also like to say that somebody appointed by the Administration, I think shouldn't be able to be removed at their whim. You know what I mean. Then you're owned and operated by the Administration.

Michelle Madoff:

But you have to work with the Administration.

The Chair:

Well, we'll get a legal opinion on the length of these appointments.

Michelle Madoff:

I brought Council a copy of a paper that was introduced yesterday during the Personnel Appeals Board hearing, and this is not an issue that addresses personalities at all. But, I want to bring before Council at the request of Tom Kerr who is one of the hearing examiners with Marty Krauss and three other people of the Personnel Appeals Board.

It appears that everyone being subpoenaed who represents the Flaherty contingency is being paid for their time before the Appeals Board. The people who are being subpoenaed by the other side in the litigation are not being paid.

There was an opinion that was rendered by Mr. Joseph Quinn, Assistant Solicitor from the Law Department, and I just spoke with him and he said this is not a legal opinion. But, what he had supplied Mr. Kerr with for the Controller's Office was with a policy decision that had been ongoing. I just spoke to Joe Mistick and Joe says that he's going to take a look at it, because it

doesn't sound just Kosher to him either.

Mr. Kerr's position was and he was very vociferous, he felt that this was impeding justice. It was outrageous. It was intimidation and that the opinion addresses -- I think if somebody is called to be subpoenaed in any lawsuit and that person works for Joe's Butcher Shop or the City of Pittsburgh or the County of course the people who they work for are not responsible for paying for their time when they're subpoenaed.

However, these are people that are being called because of their line of work by in essence a City agency or someone suing the City, and I think that its no different then Michelle Madoff or any member of this Council being called to a hearing or a lawsuit because of our jobs, and I really believe that this has to be addressed, because it isn't just the Controller's Office. It could be anyone, and I believe that we should not in any way nurture or support obstructing justice.

The people who are being subpoenaed to testify in this case who were called by Mr. Fitzgerald and Mr. Retenaur are being -- if they have not got vacation time or personal time they're being docked in their salaries, and of course they will not attend. They're not there in an ongoing basis to hear what's happening, whereas the Controller's people are all sitting there in mass, slipping notes up and helping in their defense. Which is perfectly fine, but we do not treat one body separately than another, and the same way the law holds it in a divorce case. The husband must provide adequate funding to pay for the wife to have equal representation.

Mr. Regan:

You ain't kidding there.

Michelle Madoff:

And, some of us know that, don't we. It

seems to me that we ought to support what is just and correct. So, I would like to make a motion that a letter be sent to the Mayor and to the Administration, particularly Joe Mistick who I already spoken to and that we get a statement back as to how we can correct this. I believe this is absolutely wrong the way that we're doing business in the City.

Mr. Ferlo:

Mr. Chairman, I really don't think we should get involved in matters before the Personnel Appeals Board or a court of law or anybody else unless we're dragged into it.

If we're asking for a clarification as to what the policy is I have no problem with that. I'm still a little bit misunderstanding of what the purpose or what the intent is here of what we're trying to clarify. If I understand it, some employees are subpoenaed and paid and some employees are subpoenaed and not paid. If that's the gist of it.

Michelle Madoff:

That is exactly what I said.

Mr. Ferlo:

Well, I think what we should do is ask for a clarification on what the standing policy is by the Administration regarding the issue. If that's the intent of the motion that's fine, but I'm not interested in supporting a motion that gets us involved in matters before the Board.

Michelle Madoff:

There is an opinion that I circulated to everybody that came from Mr. Quinn, which says in essence, yes we will not pay. We have not traditionally paid people who are subpoenaed for whatever reason. Some get paid and some don't.

I think that's wrong and it has nothing to do with -- this only happened yesterday at the Personnel Appeals Board that I learned about it. But, it wouldn't matter whether it was Public Works or whether it was a court of law or whatever. I believe that if Mr. Ferlo was subpoenaed because he's a Council member to testify in a case, because he's a Council member he should be paid for his time and he should not have his vacation time or his personal time docked.

And, I'm saying this is not aimed at this particular hearing, but should be a policy that applies fairly and justly so that nobody is penalized and discouraged from coming before the courts. Whatever the court may be, whatever the official body may be, because what we do then is that we obstruct justice, and I don't think justice should be obstructed.

The Chair:

May I clarify your motion?

Michelle Madoff:

Certainly.

The Chair:

Are you suggesting that the policy indicated by Mr. Quinn in writing to Mr. Pokora be applied uniformly throughout the City government?

Michelle Madoff:

No. I'm saying the policy be changed and it should apply uniformly.

The Chair:

I see.

Michelle Madoff:

It's not a policy. We want a legal opinion. He said this was not a legal opinion. It was a policy of how it's been. Now, how it's been may not be legally correct, morally correct or ethically correct.

The Chair:

So, your motion is --

Michelle Madoff:

To get a clarification yes, but indeed to say that everybody's treated equally so we don't discriminate and we don't discourage people from coming and obstruct justice.

Attorney Kerr, who was the hearing examiner yesterday is not planning to drop this. He asked me to bring it to Council or I wouldn't be bringing it today. I actually preferred that someone else would do it. I spoke to my colleague.

The Chair:

So, therefore, the motion is we would like a formal legal opinion as to the proper ethical procedure --

Michelle Madoff:

-- And how to protect everybody.

The Chair:

-- For employees in general if they are subpoenaed.

Michelle Madoff:

Right. And, that we should not be obstructing justice by not paying people if they are City employees and it pertains to City business.

Mr. Ricciardi seconded the motion.

The Chair:

Okay, well that's your opinion.

Mr. Ferlo:

Mr. Chairman, I object to this motion. For one thing all this information is not before us. This is somewhat of a complicated issue. If we're asking for a clarification from the Administration as to what the policy is, I have no problem with that, but I'm not prepared to make a value judgement yet, because I don't understand what the issue is entirely, and I'd like to understand what the pros or cons are by the Administration of whether or not they should be or shouldn't be reimbursing employees who are subpoenaed or participate in court proceedings either before a Personnel and Civil Service Board, a court of law, or anybody else.

I think we have to have more information and discuss this issue. So, I couldn't support the motion the way you're suggesting it.

Michelle Madoff:

Then why don't we simplify it.

The Chair:

Let me interrupt. The motion is on the floor, and if there's a second we're going to vote on it.

Mr. Ricciardi:

I seconded it.

The Chair:

Okay.

Michelle Madoff:

May I simplify it so there's no --

The Chair:

And please concisely redefine the motion.

Michelle Madoff:

Why don't we simplify it by saying that all people called because of their employment with the City before any court of law or quasi court of law must be paid so we don't obstruct justice, and ask the Law Department if that can indeed be rendered as a question not a demand. How can we achieve this? And then let them come back and answer us.

The Chair:

Okay, but that's not a legal opinion.

Mr. Cohen:

No.

Michelle Madoff:

Well, they're going to have to give us a legal opinion.

The Chair:

You are making a recommendation.

Michelle Madoff:

Yes.

The Chair:

Your motion is now a recommendation and not a legal opinion.

Michelle Madoff:

That is correct. Because, all we wanted is a recommendation not a legal opinion.

The Chair:

All right. The motion is, how can all people who are subpoenaed be paid rather than --

Michelle Madoff:

-- just some people.

The Chair:

Is there a second on that motion?

Mr. Ricciardi:

I second that motion.

The Chair:

Any discussion?

Mr. Cohen:

Thank you, Mr. President. Councilwoman Madoff, I support what you're saying but I would urge you to restate the motion so that it becomes a request for a legal opinion rather than a policy recommendation on Council. I am prepared to vote for a legal opinion but not for a policy recommendation.

You gave me this memo during this meeting from Joseph Quinn.

Michelle Madoff:

I just got it.

Mr. Cohen:

I understand that. But, I haven't had the opportunity to read it or study it. I don't know what the facts are. I don't think we have any evidence before us as to what exactly the facts are. I certainly support the principle of compensating people who are subpoenaed to court. I support that very much.

Michelle Madoff:

That's all I'm asking.

Mr. Cohen:

But, I'm not in a position to make a policy recommendation without any facts before me. I will support a request for a legal opinion by the City Solicitor.

Michelle Madoff:

Mr. President, would it be in order to suggest that exactly the words that were used by my colleague, Mr. Cohen, that he supports that people subpoenaed before any legal body requires that legal body be paid so that some are not paid and others are paid and everybody is paid, be the position of this Council. So that we don't discourage people from showing up and we don't act as obstructionist to the law. That's really what it's all about. If we want to start by getting an opinion I don't have any problem with that, and I can make the second motion next week. But, the important thing is I guess basically most of us are saying that we shouldn't discriminate. We shouldn't pay some people and not pay the others.

I believe Mr. Kerr on his own is going to embarrass this Council by taking this matter to higher authorities than we are and pointing this out, and I think this Council has a responsibility to say, we don't support any department whether it's the Controller's Office, Tom Flaherty, or anybody else that says we're going to pay certain

who side with us, but we're not going to pay the people who don't side with us. That is terrible.

Mr. Cohen:

Mr. Chairman, if I may respond?

Mr. Ricciardi:

Point of order. Could we restate the motion for further discussion?

The Chair:

Well there's several ideas of a motion here and I would just like to -- I interject, I believe Mr. Cohen is on the right track here.

Michelle Madoff:

I have no problem with first of all getting a legal opinion. But, the legal opinion --

The Chair:

Yes, because we don't know the facts of the situation. In other words when people are subpoenaed under what judicial bodies are they paid and what they are not paid. There has been no formal written correspondence between the Law Department and this Council. There has been between Mr. Quinn and Mr. Pokora but that's it, and I think we need more facts prior to voting on this, as Mr. Cohen said. Mr. Cohen is a lawyer and I think we should respect his opinion.

Michelle Madoff:

I will acquiesce to getting the first move to be a legal opinion. But, I mean facts are facts and we do know the facts. It is a fact that some people are being paid in the Controller's Office to testify and some people are not, and that is a fact.

The Chair:

Well, let's find out who they are.

Michelle Madoff:

And, they're being docked if they don't have their vacation time. If they don't have personal time, they're being docked from their salaries, but the other people who are testifying on behalf of the Controller are not being docked. People are coming late. They're not showing up. They're trying not to come because they don't want to be docked from their salaries, and that is indeed obstruction of justice, and goes against everything that we believe in, and the flag, and everything we fight for. That is wrong.

And, I'm making the point that this Council doesn't have to do anything more than just say yes. We do not want to obstruct justice when a City employee is called before any board, any court, that they should be paid for their time. It's very cut and dry.

The Chair:

Okay, we're going to have two more comments, Mr. Cohen and Mr. Ferlo. Then we're going to vote on that motion.

Mr. Cohen:

Thank you, Mr. President. What I suggest Michelle is that we first ask for a legal opinion, give this Council the opportunity to find out what the evidence is, and then if we want to follow it up we can follow it up.

It's not that I question your view of reality at all. It's just that we need to have some evidence before us and we don't have any right now.

So, I would support as Council President said a motion for a legal opinion. What the pol-

icy is, give us the opportunity to see what the facts are.

Michelle Madoff:

That would be fine.

The Chair:

So, you are altering your motion to request a legal opinion in regards to.

Michelle Madoff:

First step.

The Chair:

Okay as a first step. A legal opinion on people that are subpoenaed, under what conditions they are paid, and what conditions they are not paid, and what is the history of that happening recently within the City of Pittsburgh in other departments.

Michelle Madoff:

And, why are we perpetuating obstruction of justice?

The Chair:

That is the motion. Is there a second?

Mr. Ferlo:

Discussion on the motion. First of all, obviously I support the motion because I think its framed the right way. But secondly, I would also add that in addition to this memo that we have a representative on the Personnel and Appeals Board, and I think we should receive some type of report from the Chairman of this board regarding not necessarily this issue per say but the policy issue in general; and in addition to this

legal request of the Administration, you know we have an appointee on the board and we should receive a report from the board.

If the board is saying that there's some inequity in the policy, and if some employees are subpoenaed and reimbursed with their time and some aren't, I mean the board itself has an obligation to communicate to Council regarding this issue. So, I would respectfully request also in addition to supporting this motion that we ask for a report from the board. Our appointee is Mr. Krauss and I believe Mr. Kerr is the Chairman of the Board, and I believe the Administration has one appointee, and I apologize for not remembering her name, but I think we are also owed a report from them regarding the issue that Michelle raised.

The Chair:

If I may, concisely then we're going to vote.

Michelle Madoff:

I just want to say one thing. This only came to light before Mr. Krauss, Mr. Kerr and the other people on the board last night. They didn't know about it and they were appalled.

Mr. Ferlo:

I understand. They should communicate with us.

The Chair:

The motion is we are requesting an opinion from the Law Department in regard to people that are subpoenaed before a court of law or between various City originated quasi agencies, the Human Relations Commission, the Civil Service Commission, the Personnel Appeals Board, as good examples.

WHICH MOTION PREVAILED.

The Chair:

Any other issue to be brought before Council?

Mr. Ferlo:

Very briefly Mr. Chairman, I want to remind the public that you have scheduled a public hearing on the recycling ordinance that the Administration has submitted and I believe it's this Thursday, August 2nd at 10:00 a.m., and if you're interested in speaking on the Mayor's proposal for the so called one bag recycling plan and the ordinance that the Administration has submitted, which basically spells out the enforcement mechanism and the process by which the recycling plan will be implemented. You can call the City Clerk's Office to receive the information or to testify at 255-2138.

I do want to state for the record though I'm extremely upset that we are moving expeditiously to have this hearing without all the information being made available. Not only to Council but to the public. We have not to this date received any written information other than the draft ordinance. We have not received the so called feasibility study, a cost benefit analysis study, which we requested which would help to evaluate different proposals on the methods for recycling including the curb side source separation. In addition to the so called one bag plan.

The one thing that I am extremely upset about in the draft ordinance that's before Council is the fact that we will be in violation of state law. As far as I'm concerned this proposal as presented by the Administration, we are directly in violation of the state law come September 24th, because we have not implemented a City-wide system for source separation.

I think this will be a matter of potential legal action by parties against the City. I'm extremely upset about the proposal because I don't think it's the cheapest and the best method, and I hope that if citizens are opinionated either for or against, or have other ideas or concerns about the recycling plan I hope that they'll participate in the public hearing August 2nd and contact the City Clerk.

As a matter of old business we still to this date have not been educated, not have received the information. I know Mr. Chairman you're asking for an expeditious review and vote on this whole issue next week before Council breaks, and we're going to be voting in a vacuum and voting in the dark.

The Chair:

Mr. Perry have we received a copy of that report yet?

Mr. Perry:

Not yet.

The Chair:

Mr. Ferlo is chairing the subcommittee on recycling, and he's making a valid point. We have requested that report numerous times. Mr. Ferlo, I can promise to you if we don't have it by days end the hearing will be cancelled and rescheduled.

Mr. Ferlo:

Thank you, Sir.

Mr. Cohen:

Mr. President, point of information. Has there been a motion to televise that public hearing?

The Chair:

Yes.

Mr. Cohen:

Okay.

The Chair:

So, please let the Administration know that we need that report in our hand by days end.

Mr. Ferlo:

Just one last plug, Mr. Chairman. We traditionally have a resolution each year making note of "National Night Out", which is next Tuesday, August 7th and I know that neighborhood groups City-wide will be participating in that event, and I want to compliment the Community Relations folks who have been working hard on

this issue.

Also, I'm sponsoring a block party with the Lawrenceville Block Watch Network on 54th Street at Duncan Field, and we invite all the residents out in that community for a good old fashion block party from 7:00 until 11:00 p.m. on 54th Street at Duncan Field come on out and we'll have something to eat and something to drink.

Mr. Cohen moved to approve the Minutes of Tuesday, July 24, 1990.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of Mr. Ricciardi

Council adjourned.



MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, August 7, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 1262 WHEREAS, on Thursday, August 2, 1990 friends and well wishers will honor Dr. Lloyd Henry Bell at a Farewell Celebration for his more than twenty years of service to the Pittsburgh community; and

WHEREAS, commencing in May of 1969, Dr. Bell began his faithful service to the University of Pittsburgh by serving as Assistant Vice Chancellor to Public Affairs and Director of Office of Urban and Community Services; and

WHEREAS, during his distinguished career, Dr. Bell has been bestowed with many honors and praise for his outstanding contributions to the education of mankind; and

WHEREAS, Dr. Bell holds membership in numerous professional organizations and serves on many prestigious boards; and

WHEREAS, Dr. Bell earned his PH.D degree in psychology from Duquesne University and completed his graduate work at Brandeis University, studying under notable Dr. Abraham Maslow.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh salutes Dr. Lloyd Henry Bell for his spirit, intellect and determination to improve the will

of mankind and extend best wishes and success to Dr. Bell as he embarks upon new endeavors in Boston, Massachusetts; and

BE IT FURTHER RESOLVED, that August 2, 1990 be declared as Dr. Lloyd Henry Bell Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan presents

No. 1263 **WHEREAS**, Stephanie Sloan, a 19 year old who was born and raised on Spring Hill in the North Side who is a graduate from Perry High School, is internationally known for her accomplishments in swimming; and

WHEREAS, in 1988, Stephanie attended the Para Olympics in Seoul, Korea, and received a bronze medal in the 50 meter back stroke. Stephanie was the only female in the State of Pennsylvania to win a medal in the Para Olympics in Seoul, Korea; and

WHEREAS, Stephanie competed in the Sports by Ability Regionals in Pittsburgh, receiving first place in seven swimming events qualifying her for the National Games for Cerebral Palsy; and

WHEREAS, Stephanie received first place in the 50 meter free style swimming, first place in the 100 meter free style swimming, first place in the 50 meter back stroke, and first place in the 3x50 meter individual medley; and

WHEREAS, Stephanie Sloan attended the World Championship for the Disabled in Holland on July 11-25, 1990 and received two gold medals for the 50 meter free style swim-

ming and a silver medal for the 4x50 meter relay; and

WHEREAS, Stephanie Sloan holds the regional and national records in all swimming events, and lost only by 5 seconds for the world record in the 50 meter free style swimming.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in with the citizens of Pittsburgh in recognizing and saluting Stephanie Sloan for the courage and the determination to succeed in her accomplishments; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Tuesday, August 7, 1990 as "Stephanie Sloan Day" in the City of Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

We're taking a group of young kids to Russia tomorrow to compete against the Russians, but this morning I want to honor a real hero. This young lady went over and made America proud. I wish we could take you to Russia because I know you'd beat the pants off those Russians.

She's a beautiful girl and she makes the North Side look good when she shows up and I want you to know that we are very proud of you. I'm proud of you being a North Sider and Council is proud of you and the City of Pittsburgh is proud of you.

She goes to Allegheny Community Col-

lege and she has a 3.0 QPA. We got a call from a nun this morning to make sure that all of you folks know that she went to St. Peter's Grade School in the North Side. I attended there myself. I wish Ferlo would have gone there; we would agree on a lot more stuff.

It's a great day for the City of Pittsburgh and it's a great day for you.

Ma. Stephanie:

I would just like to personally thank Councilman Regan, Dick and Lorraine Bowman and all the friends for their support.

Mr. Regan:

This is her father who is a great guy but the mother really made it happen. She's the one that had to do all the heavy work here in the early years.

Mrs. Sloan:

We'd like to thank everyone for their kind and generous support and without the help of Citiparks Therapeutic Recreation, without their program, it would be impossible for the sports kids in the community to participate in the regional, national or world games.

Mr. Regan:

Thank you very much and we're looking forward to the next Olympics where you'll really clean up. I know you're just giving them a light workout this time. You'll break all the world records next time. Thank you very much.

Now I'd like everybody to come up for the National Night Out. We want to send a little message out to the burglars and the thieves and the crooks around town that the big guys are coming. The National Light Up Night, the Na-

tional Night Out.

Mr. Regan presents

No. 1264 WHEREAS, August 7, 1990 marks the seventh annual "National Night Out" sponsored by the National Town Watch Association; and

WHEREAS, this event is observed nationwide and is designed to heighten crime prevention awareness, strengthen neighborhood spirit in the crime prevention campaign, and send a message to criminals that neighborhoods across the United States are organized and fighting back; and

WHEREAS, the City of Pittsburgh placed 2nd nationally in 1989 and has placed in the top four in the last seven years, including 1st in 1986. No other major City in the United States has ever accomplished this record; and

WHEREAS, neighborhood and community cooperation are the heartbeat of the National Night Out project and all citizens can participate and become involved by spending the night of August 7, 1990 outside on their porches, front steps, sidewalks and lawns, and to turn their outside lights on or placing luminars on their sidewalks at 9:00 p.m.; and

WHEREAS, sponsors of this cooperative National Night Out evening are: Duquesne Light Company, 7-Eleven Stores, Phillips Light Bulbs, Patrick Media and Turner Dairy.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims August 7, 1990 as "National Night Out" in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council encourages the citizens of this great

City to participate in all Block Watch activities in support of fighting crime.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

I would like to thank Council and I'm really making this resolution on behalf of all of Council.

Sergeant Byrnes:

I'd just like to say that this is the day when the citizens of the City of Pittsburgh involved in Crime Watch show how their efforts have been. And they're also magnifying those efforts and spreading the word of Block Watch.

I'd like to thank the leaders who are here. I'd like to thank Loretta Miller, Carol Anthony, Darlene Harris, and one of our sponsors, Jerry Kinder from Phillips Lighting, and you see the National Night Out T-shirt.

I want you to know that I want to thank the Chairman of the National Night Out Committee, my strong right arm here, Sergeant Jerry McFadden who made all these things coordinate with the community.

We want to thank you in Council for everything you've done in the past and we hope to see you involved with our activities in the future. Remember, our activities mean community. Thank you for the recognition.

Mr. Regan:

I'd like to also thank the Mayor's Secretary for being here. I'm sure she's just here on

her lunch break or coffee break. She'll have to head back to work, I'm sure. Thank you very much.

Mr. Ricciardi:

I'd like to ask the representatives of the Polish Falcons of America to please come forward. We have with us today the President of the Polish Falcons of America, Nest 118, Bernice Radzanowski; also, Mary Kajut, Nancy Capozoli, and Amy Hovanec.

Mr. Ricciardi presents

No. 1265 WHEREAS, the Polish Falcons of America, Nest 118, celebrates their 80th Anniversary on Sunday, August 12, 1990; and

WHEREAS, the Polish Falcons of America is a service organization that provides many services to our community; and

WHEREAS, the Polish Falcons of America provides financial support to the United Fund and to blind children in Poland as well as playing an instrumental role in the Heritage Days Parade in our City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby salute the Polish Falcons of America, Nest 118, on their 80th Anniversary and acknowledges the many services that they provide to our community.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd just like to say, a few weeks ago I

gave an interview to one of the local papers and they asked me, "What makes South Side such a nice place to live and what makes South Side such a nice place to provide financial assistance in order for developers to develop our area?"

I said to them, "It's the people." And we're very lucky to have good solid people living in the South Side and one of the largest blocks of people are from Polish descent. That's what makes South Side such a nice place to live.

So, I'd like to ask Bernice, the President of Nest 118 to please say a few words.

Ms. Radzanowski:

On behalf of Nest 118 of the Polish Falcons of America, I would like to thank our Councilman, Gene Ricciardi, and all of Council, for bestowing this honor upon us.

As you heard, we are celebrating our 80th anniversary this year. The formal celebration will be on August 12. Today we have Polish Day and we'll be working at Polish Day at Ken-nywood.

Now I think Mary Kajut is going to say a few words in Polish.

Mr. Ricciardi:

I just want to say that I have been so impressed with Councilman Regan since I've been on Council because no matter who I have here, the Ukrainians, he speaks Ukrainian, the Polish people, he spoke Polish before. I think he has also spoken in Hebrew. But, Mr. Regan, we're going to show you what it's really like to be fluent in one language and Mary Kajut is going to show us how to do it.

AT THIS TIME MARY KAJUT ACCEPTED THE RESOLUTION AND GAVE A SPEECH

IN POLISH.

Mr. Ferlo:

I think she said, "Let's all go to Ken-nywood."

Mr. Ricciardi presents

No. 1266 WHEREAS, on Sunday, August 5, 1990, Mr. and Mrs. Angelo N. DiFiore are celebrating their 50th Wedding Anniversary with a Mass at St. Paul of the Cross Monastery and a reception at Bradley House; and

WHEREAS, Mr. and Mrs. Angelo DiFiore were married at St. Mary of the Mount Church in 1940; and

WHEREAS, Mr. Angelo DiFiore gave many years of service to the community through his work with the Pittsburgh Railways and the Port Authority; and

WHEREAS, Mrs. DiFiore has dedicated her time to the community through her work with the American Cancer Society; and

WHEREAS, Mr. and Mrs. Angelo DiFiore have one son, Brother Leo DiFiore.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Mr. and Mrs. Angelo DiFiore on their 50th Wedding Anniversary and extends a wish for health and happiness in the future.

Mr. Ricciardi moved to adopt the resolution.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

I'd like to ask Mr. Anthony Mowad to please step forward. He is the President of the Pittsburgh Jazz Society. I'd also like to ask Mr. Roger Ryan, a jazz musician who is with him here today, to please step forward.

The Chair presents

No. 1267 WHEREAS, on Sunday, August 19, 1990, the Pittsburgh Jazz Society, a non-profit organization with over 3,000 members which supports, promotes and provides exposure for both local, as well as guest jazz artists, will hold its 3rd annual "Jazz Day in the Park" at Boyce Park Ski Lodge; and

WHEREAS, the event will provide entertainment from noon to ten o'clock, p.m. to promote and develop a broader appreciation of jazz in the City of Pittsburgh; and

WHEREAS, the City of Pittsburgh boasts being #2 in the United States as home to many jazz greats such as George Benson, Ahmad Jamal, Tommy Turk, Errol Garner, and countless others who have gone on to earn national fame.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Sunday, August 19, 1990 as "Jazz Day" in the City of Pittsburgh and encourages all Pittsburghers to attend this outdoor celebration.

Mr. Millones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

As I indicated earlier, we have with us Mr. Anthony "Tony" Mowad, President of the Pittsburgh Jazz Society, a jazz historian and Program Director of WDUQ at Duquesne University, a jazz station that I'm sure many of you have heard and listen to. His program is called The Night Side. May of you may recognize it by that.

I'd like to introduce Mr. Mowad to say a few words about Jazz Day in the City of Pittsburgh and I believe he's going to introduce Mr. Ryan.

Mr. Mowad:

Thank you, Mr. President and Council, for recognizing Jazz Day. Recognizing the musicians in the Pittsburgh area is gratifying to all of the musicians as well as the entire jazz community.

It gives me great pleasure to see many people, not only here in Council, recognizing the fact that jazz is a respected music. There's a very thin line between jazz and classical music and it seems it gets its due respect. Every day it gets better and better, so much so that many Pittsburghers who left the City to further achieve what their goals were have come back. Quite a few have. And the gentleman who is with me is one of those.

He was the music director for Bobby Rydell. He has performed all over the world, and is one of the finest drummers in the Pittsburgh area and recognized as such. He is a co-leader of a group known as Trio Grande and their record is known nationally right now and it gives me great pleasure to present Roger Ryan.

Mr. Ryan:

I'd like to thank the Council this afternoon for bestowing this honor upon a great jazz community, and you, too, Mr. Tony Mowad, for giving this our form of voice.

Indeed, this is a great city. It has provided and nurtured some profound jazz talent that is known all over this world. We certainly thank you on the part of the past, the present and the future artists. We thank you sincerely for this honor. Thank you.

Mr. Darkins presented

No. 1231 Resolution transferring the amount of \$1,100.00 from Code Account 1001-1 (100115), Misc. Services, City Council, to Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Finance.

Also,

No. 1232 Resolution providing for an Agreement or Agreements with the Homewood Brushton Stingers, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,100.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation. ---**(SPONSORED BY MR. DARKINS)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Ferlo presented

No. 1233 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to provide computer consulting

services related to the management of an existing R-base application for the management of the City's Parking Permit Program, at a cost not to exceed \$20,000.00, chargeable to and payable from RPPP, Residential Parking Permit Program Trust Fund.

Also,

No. 1234 Resolution affirming prior Cooperation Agreements between the City of Pittsburgh and the Housing Authority of the City of Pittsburgh.

Which were read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1235 An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article VII, City Realty, by adding a new Chapter 452, City Owned Property. ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read and referred to the Committee on Finance.

Also,

No. 1236 Resolution providing for a Contract or Contracts, or for an Agreement or Agreements, or for the use of existing Contracts or Agreements, with PA One Call System to provide the City of Pittsburgh with a Department of Water Street Opening Information System, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1922, Misc. Services, Administration Division, Dept. of Water.

Which was read and referred to the Committee on Water.

Also,

No. 1237 An Ordinance supplementing and amending the Pittsburgh Code, Title Six, "Conduct", Article I, "Regulated Rights and Actions", Chapter 601, "Public Order", by regulating the distribution or sale of cigarettes and other tobacco products through vending machines, with certain exceptions, and by providing penalties for the violation thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Milliones presented

No. 1238 Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$2,000.00, in payment for professional consulting services rendered to Jake Milliones from May to September, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services and Council, As needed, District #6, City Council.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 1239 Resolution providing for the issuance of a \$851.82 warrant in favor of Lynne E. Harr in settlement of claim for vehicle damage by a City of Pittsburgh Fire vehicle on May 9, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 1240 Resolution providing for the issuance of a warrant in the amount of \$4,000.00, payable to Pamela Green, c/o Glenn D. Dolfi, Esquire, 4762 Liberty Avenue, Pittsburgh, PA 15224, in full settlement of personal injuries sustained in a motor vehicle accident with a City of Pittsburgh motor vehicle

on December 9, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 1241 Resolution providing for the issuance of a \$2,251.00 warrant in favor of Paul L. and Geraldine Neidhardt in settlement of claim for sewer line repairs, payable from Code Account No. 46, Judgments.

Also,

No. 1242 Resolution providing for the issuance of a warrant to Bernard Kliensky in the amount of \$800.00 in full settlement of claim for personal injuries arising from an accident on Meyran and Forbes Avenue in the City of Pittsburgh on January 21, 1987 in which plaintiff was struck by a marked City police vehicle in the Oakland section of the City. The vehicle was operated by William Onyshko, a former City police officer, causing injuries to the plaintiff, payable from Code Account No. 46, Judgments.

Also,

No. 1243 Resolution transferring the amount of \$1,500.00 from Code Account 1001-1 (100115), Misc. Services, City Council, to Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 1244 Resolution further amending Res. No. 894 of 1989 as amended by Council Bill No. 1090, Res. No. _____ passed in Council July 24, 1990 entitled, "Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pa. for a grant or grants in connection with the Job Training Partnership Act; providing for the

execution of Grant Contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pgh. to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/ employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by \$35,000.00. At a cost not to exceed \$995,000.00, chargeable to and payable from the JTPA-2 Trust Fund.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1245 Resolution providing for an Agreement or Agreements with The George "Dew" Brown Summer League, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Dept. of Parks and Recreation. ---**(SPONSORED BY MR. MILLIONES)**

Which was read and referred to the Committee on Parks and Recreation.

Mr. Regan presented

No. 1246 Resolution providing for the issuance of a warrant in favor of the County of Allegheny, 101 Court House, Pgh., PA 15219 to the attention of Regina DaVia, Chief Clerk's Office, in the amount of \$12,427.73 for the purchase of a surveillance van, radios and

accessories that the County paid for the City's use in the Countywide Drug Enforcement Project for the benefit of the City, chargeable to and payable from Code Account (CNPTF), Bureau of Police, Dept. of Public Safety.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 1247 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pgh., PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for month of August, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, District #3, City Council. ---**(SPONSORED BY MR. RICCIARDI)**

Also,

No. 1248 Resolution transferring the amount of \$55,000.00 from Code Account 1063 (106302), Misc. Services, Dept. of Finance, to the Property Tax Reduction Trust Fund (PTRTF). ---**(SPONSORED BY MR. RICCIARDI)**

Which were read and referred to the Committee on Finance.

Also,

No. 1249 Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in connection with the Dept. of Parks and Recreation, Special Events and Cultural Affairs, 1990, 1991, 1992, Great Race/Finish Line Services, at a cost not to exceed \$22,000.00, chargeable to and payable from the Special Parks Program Trust Fund,

Dept. of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 1250 Resolution transferring the amount of \$2,000.00 from Code Account 1001-1 (100115), Misc. Services, City Council, to Code Account 1103 (110304), Misc. Services, Dept. of City Planning. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Finance.

Also,

No. 1251 Resolution providing for an Agreement or Agreements with the Airport Corridor Transportation Association, for the benefit of the resident of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning. ---**(SPONSORED BY MR. WAGNER)**

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1252 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss the URA's plan to lease the 610 Third Avenue Parking Lot.

Also,

No. 1253 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss Chapter 179 of the Pittsburgh Code which relates to Vendors and Peddlers.

Also,

No. 1254 Communication from George Whitmer, Executive Director of the Urban Redevelopment Authority, submitting the Position and Salary Report as of June 30, 1990.

Which were severally read, received and filed.

Mr. Ferle moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced to the bills will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

UNFINISHED BUSINESS

The Chair presents

No. 1255 Communication from Sophie Masloff, Mayor, returning with her veto Council Bill 789 entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Six, Conduct, Article One, Regulated Rights and Actions, Chapter 601, Public Order, by prohibiting the distribution or sale of cigarettes and other tobacco products through vending machines with certain exceptions and by providing penalties for the violation thereof."

Which was read.

(MAYOR'S VETO LETTER)

August 3, 1990

The Honorable President and Members
City Council
City of Pittsburgh
510 City County Building

Pittsburgh, PA 15219

Dear Mr. President and Members:

RE: Council Bill No. 789

I am returning, as vetoed, Council Bill No. 789. Without fairly balancing the needs of owners of publicly used commercial establishments with the need to protect the health of our children, this bill could only be implemented after serious delays.

We must get cigarettes out of the hands of our children, and we must do it as soon as possible. Therefore, I am submitting for your consideration a proposed ordinance that has a greater likelihood of being sustained and will more swiftly protect our children.

Under this bill, cigarette vending machines can remain in publicly frequented shops, as long as they are machines that can be operated only by tokens and not by U.S. currency. This will allow neighborhood shopkeepers to protect their inventory, but will also make them directly responsible for those children who acquire cigarettes from these token-operated machines. During my personal visits and discussions, I have learned of the negative economic impact a total vending ban will have on "Mom and Pop" stores. These stores are vital to our neighborhoods and have been a part of the fabric and history of Pittsburgh. I believe that the bill I am recommending will protect their status in the community and provide the necessary safeguards for our children.

At this time, I am also writing representatives of the vending and tobacco industries and urging them to support this bill. With their help, Pittsburgh can lead the way to a solution without violating the competing rights of our citizens.

We must protect the health of our chil-

dren. I am asking all Pittsburghers to support token-operated cigarette machines. I urge Council to sustain my veto of Bill No. 789 and to favorably consider the proposed legislation if you deem it desirable.

Sincerely yours,

Sophie Masloff

(END OF LETTER)

Michelle Madoff:

I just came from meeting with the Administration and gave them two options which we debated and came up with an agreement.

Personally, I think that the Administration and Mayor Masloff's recommendation that we convert all vending machines where minors, children, have easy access to become addicts of cigarettes at the age of 11 and 12, etc. by converting them to the use of tokens is a super idea. It's better than my idea; it goes a lot further. I do have some concerns as to whether its possible.

I would be very happy to support the veto, to sustain the veto, with the clear understanding that 6 months from now, that's next year because we can't introduce a bill in the same year, that if the machines are not converted over, that indeed we would go with the present legislation. And I have the Administration's word that they would support the bill as it is presently written if the machines are not converted to being able to use tokens. The Administration will support the bill as it presently is. They're looking for a way of supporting our children across the board.

I think this is a better way of doing it. It changes the whole business of where I have to move to have all the vending machines which are outside of bars and private clubs moved in-

side so that they can be watched.

Now, as Councilmembers may know and the public knows, I have been a long time opponent of cigarette smoking, but I am not here to be big sister or big brother for adults who are addicted. But I know that adults who are addicted do not want their children addicted and they would support legislation and they do support it. In my office alone, the three smokers, adults, support the legislation to do whatever we can to protect our children from becoming addicts.

Now, my first legislation, as you may recall, was to stop smoking in elevators. The second one is to ban smoking in this room. My colleagues used to smoke. The third one was the divestiture and now we're looking at protecting our children.

But in the real world, we're talking about protecting what, 16 percent of the minors who have access to vending machines? The only way we're going to address the real problem is to get the leadership of this country and the leadership of this state, Secretary of Health in the State of Pennsylvania, and Secretary Sullivan to introduce legislation that will license anyone who sells cigarettes.

My office has already sent pending legislation to the Law Department for review. Mr. Specter is looking at it from the City. It is my opinion, very peripheral, that we do have the right, we are not pre-empted by State Law and that we can indeed license those who sell cigarettes. Why not license people who sell cigarettes? We license people who sell alcohol and it is just as dangerous to have people who sell poisonous cancer sticks, coffin nails, to our children by virtue of cigarettes as it is to have our children exposed to alcohol. And if we really care about our kids, that's what really has to happen.

But getting back to the issue at hand, the veto, I will urge my colleagues to support the Mayor's veto and vote for the veto because I have the Administration's word that if the vending operators do not convert to tokens, they will support our legislation and I think even tougher legislation.

The Chair:

For procedural reasons, I would ask for a motion to override the veto.

Mr. Coyne:

So moved.

Mr. Ferlo seconded the motion.

Michelle Madoff:

And that would be a no vote if we want to keep it as it is.

The Chair:

Yes.

Michelle Madoff:

Are you going to change it when we vote to vote yes if we want to keep it as it is and no --

The Chair:

You would vote yes if you want it to become law; no if you do not want it to become law.

Mr. Regan:

I didn't meet with anybody this morning, but I take my hat off to the Mayor. I think she made a good move and I think she did a terrific

job on this. With all due respect to my famous colleague, I admire the Mayor and I think she made a smart move.

Mr. Ricciardi:

Mr. President, obviously I'm supporting the Mayor's veto of this bill. I think Michelle Madoff is to be commended, though, for her original bill and trying her very best in order to protect our young people from this deadly product. But as I had said in the past, and my comments show, and if you read the press release of Mayor Masloff's, I was very happy I was able to convince one person, though, of the ill effects that bill would have had on small businesses in our neighborhood.

So, I will support her veto and I will support her pending legislation and again I think Michelle Madoff is to be commended for her original piece of legislation.

Mr. Darkins:

Mr. Chairman, I have to concur with the Mayor's wishes on this bill for many reasons, mainly because I serve on several boards, the Cancer Society and also I serve as the Chairman of Clean Lung and I think that the Mayor's ideology in regards to the machines and there's so much concern about our young people I think it was a great solution to the problem and I would have to say today that I would support her.

The Chair:

I'd like to make a comment. I still think the original bill was better than the one proposed. I am going to vote to override the veto, my reasoning being that I still think it's easier to regulate placement of the machine rather than operation of the machine. But if the veto is not overridden, I will still vote in favor of the Mayor's proposal.

Michelle Madoff:

I might remind my colleague that I agree with you that I think ultimately we will not see conversion to tokens. However, keep in mind that it is much easier, as a matter of fact, you cannot sue a vending machine. You can take legal action against someone who sells cigarettes to our children. And if we could get a law in place that says you must have a license in order to sell cigarettes and if the penalty is that you would have after a couple of fines and notices, you would lose the right to sell cigarettes, it affects your whole business.

And of course, when we get to small mom and pop shops, we can always waive the fee if that was necessary because the most important thing is to have the legislation in place that says it is illegal to sell cigarettes to children.

I think your point is well taken but I think that we gain more by working together on something as important as this than we work at cross purposes. And when I have the Mayor's word that we can re-introduce this legislation, I don't see a new Council next year and we're going to be here, God willing, the same Council and that we have enough votes to re-enact the legislation, I am willing to give the Mayor a chance to act in good faith and to see if she can bring about this change to tokens.

The Chair:

Is there any further discussion on the motion to override?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne

Mr. Wagner
(Pres't)

AYES 2

NOES 7

VOTING NO:

Mr. Cohen

Mr. Milliones

Mr. Darkins

Mr. Regan

Mr. Ferlo

Mr. Ricciardi

Michelle Madoff

And a majority of the votes of Council not being in the affirmative, the veto was sustained.

Michelle Madoff:

For the Record, Mr. President, I would hope that this support for the concept will remain and that after the first of the year, if the vending machines and the tobacco industry has done everything in it's power to see that they're not converted to tokens, we go back to this bill and even strengthen it.

I thank all of you for your support.

The Chair presents

No. 1225 Resolution appointing James Cunningham, 145 Oakville Drive, Apartment 2-B, Pittsburgh, Pennsylvania, 15220, as a member of the Art Commission for the term of the Mayor. Mr. Cunningham is replacing Mina Gerall.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Regan

Mr. Darkins

Mr. Ricciardi

Mr. Ferlo

Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative the appointment of Mr. Cunningham was approved.

Also,

No. 1226 Resolution appointing Raymond Schinhofen, 5876 Northumberland Street, Pittsburgh, Pennsylvania, 15217, as a member of the Art Commission for the term of the Mayor. Mr. Schinhofen is filling a vacant position.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative the appointment of Mr. Schinhofen was approved.

Also,

No. 1227 Resolution appointing Howard Graves, 3479 Beechwood Boulevard, Pittsburgh, Pennsylvania, 15206, to the Historic Review Commission for a term effective immediately and to expire December of 1991. Mr. Graves will replace Ralph Alster.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative the appointment of Mr. Graves was approved.

Also,

No. 1228 Resolution appointing John DeSantis, 937 Beech Avenue, Pittsburgh, Pennsylvania, 15233, to the Historic Review Commission for a term effective immediately and to expire December of 1991. Mr. DeSantis will replace Joan Ivey.

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like to make a motion to table the appointment of Mr. DeSantis.

Mr. Coyne seconded the motion.

Mr. Ferlo:

Discussion on that motion. Just very briefly, I think we've had a lengthy discussion on this issue and certainly Council has been communicated to by interested parties from the communities throughout the City, especially the North Side.

I feel very strongly that Mr. DeSantis is not only creative and talented and certainly has a strong track record of being a historical preservationist himself, as well as being an advocate for the issue, and I support his placement by the Mayor on the Commission. However, the bone of contention that I have at this time is his appointment or his perceived appointment as Chairperson of the Commission.

I think it would be sheer folly for this Council to approve that knowing that he will chair a Commission that for the last several

years has been fraught with controversy and conflict. I think we're moving at a time of developing a consensus City-wide on this Council as a legislative body and the Administration and the community on the need to reform fundamentally the historical preservation ordinance.

We need someone who is talented who could work as a Chairperson to reduce tension and conflict and bring consensus, develop consensus before the Commission.

Again, just to be clear, I support his placement on the Commission; however, I think it would be a mistake to reinforce his role as Chairperson of the Commission. I don't think he represents reasonableness and fair-mindedness and I think people who go before the Commission, either proponents or antagonists to designation either their own district or some edifice around the City should have a reasonable insurance that they have a fair hearing in terms of the process of the Commission's work itself. And I don't think Mr. DeSantis fills that bill.

Currently, Mr. DeSantis himself has several nominations and has had several nominations before the Commission. Mr. DeSantis himself is leading in legal litigation initiatives against the Mayor and the Administration on a previous action by Council on a Conditional Use Application for the Medical Society. Mr. DeSantis himself is single-handedly responsible for blocking two major developments on the North Side which I think had a detrimental impact on clearing land and making it available for development.

The Chair:

I'd just like to interject. We're not talking about the validity of Mr. DeSantis. We're talking about whether or not we're holding this.

Mr. Ferlo:

I'm just explaining why I felt it was important to table and I would hope that if the table motion has majority support, that in a week or so, for the Administration to rethink their position and clearly indicate who exactly would Chair the Commission.

So, for all those reasons and others which I'll probably again speak on before this vote, I strongly urge that we support the table motion.

The Chair:

Is the motion to table or to hold one week?

Mr. Ferlo:

The motion is to table.

Mr. Coyne:

Mr. Chairman, I would agree with Councilman Ferlo's sentiments. I received over the past few days many correspondence from residents throughout the City who have a problem with Mr. DeSantis' position on Historic Preservation. Personally, I think it's very important that we have someone on the Board who is a preservationist and who is going to do his or her best to make sure that historic structures are preserved in the City of Pittsburgh.

However, to be a Chairman of that Board, I think we need someone who is going to be more fair-minded and who is going to look at each and every issue that comes before the Board with a very objective point of view. Mr. DeSantis has not impressed me that he can be that type of individual. I think the City would benefit immensely by having him on the Board, by having someone of his knowledge and his de-

termination to fight for historic preservation. However, unless the Administration can guarantee us that he wouldn't be the head of the Board, I don't think it's really going to serve the City's purpose by having him in that body.

As we know with the many discussions that we've had in front of Council, the ordinance itself in the case of Allegheny West and Shadyside does need drastically changed. In the case of Allegheny West, Mr. DeSantis continued, I think this is his third effort, to have that area designated as historical despite the fact that over 50 percent of the residents have opposed that. Now, I think if we're going to have an individual heading a Board, he or she has got to be someone who is going to look at the majority of the residents want and act accordingly. Mr. DeSantis, I don't believe, has shown he can do that.

He stated, when he came before Council last week, that he can and will be fair, that so far his role has been of an adversarial type and that there has been a lot of compromise prior to him coming to Council.

As recently as yesterday, I had some correspondence from some employees at the David Lawrence Convention Center, of which I am a Boardmember, who maintained that in his position as the Director of the Home and Garden Show he has been very confrontational to deal with and he has been one who seeks compromise. I think that just lends weight to the fact that he shouldn't be Chairman and that this Council needs a guarantee from the Administration that, although Mr. DeSantis would be a fine member, that he would not be the one to lead up the Board.

Mr. Cohen:

Mr. President and Members of Council, I agree with Councilmen Ferlo and Coyne on this. I don't have anything against Mr. DeSantis

at all. In fact, the opposite is true. I was very impressed by his comments last Wednesday. I thought that he was extremely bright and articulate and I respect him for his staunch promotion of preservation in Pittsburgh. In fact, I share many of those views and also his views on the current historic legislation which he and I both agree is flawed. And for that reason, I support his appointment to the Committee.

But, I don't support him for Chairman of that Committee. I personally have just been through a fairly devious battle in Shadyside West over historic designation and we're all in the middle of one involving Allegheny West. And my experience with those two issues has taught me that we really need somebody as Chair who is fair-minded, who can be flexible, and who can negotiate with both sides.

I think many people forget that the Historic Review Commission does more than just designate neighborhoods or buildings as historic. They also have to work with individual property owners once that designation occurs and work with them to reach a compromise over what to do with their home or with their building to make it comply with historic preservation but, at the same time, make sure that their pocket-book isn't undermined too.

So, we need somebody who can sit down and be flexible and I have some questions as to whether Mr. DeSantis can do that. So, I will vote to table his appointment; but if the tabling fails, then I will vote for his confirmation.

Mr. Millones:

I think we're making a mountain out of a molehill. I think Mr. DeSantis has 18 months to prove whether or not he can Chair, effectively Chair, the Commission. His term expires December of 1991 and for that reason I would certainly support it. If he can't do the job in the next

18 months, then obviously I would assume that he would be removed from the Commission. But I would certainly support him for that length of time. I really think we need to give the Commission a try. I agree with Jim that we're on the threshold of attempting to shape new policy and to come to some consensus. And if Mr. DeSantis doesn't work out in the next 18 months, I would be the first to argue for his not being reappointed.

Michelle Madoff:

I think that my colleague, Councilman Milliones, was really very astute in the statement he has made. Why condemn somebody without giving them a chance. We're not talking about a great length of time; we're talking about a mere 18 months.

I might add that I have heard the same stories that have been repeated here at the table, the lack of compromise, flexibility, negotiating with both sides, mediator. Well, I believed all those stories too until I was a witness. I was there. I'm not giving you second-hand information. I was there when this Council, for years, tried to do something with the riverside, when this Council tried to get Down by the Riverside off and running so we could get some revenue, some jobs back into this community.

I was there and testified, as was Mr. Ferlo, as was Mr. Wagner, before the Zoning Board when the hearing was supposed to start at 1:00 and it didn't start until 4:00 and we had a chance to interact with the community groups and found out that they were going to take litigation, the groups were going to enter into litigation which would have held this project up for a year and the investors were going to walk away. And the mediator and the arbitrator and the person who was able to negotiate was indeed Mr. DeSantis. I watched him do this.

On that basis, I think he would be an asset and we ought to put aside whatever our personal wishes are. This is not a very politically sound thing for me to do but it's the right thing to do and I think we should vote for him.

Mr. Regan:

I'd just like to say with all those accolades and adjectives they're firing around down at the other end of Council here that he's a pretty damn good guy. They gave him a 21 gun salute down there and they're all going to talk about tabling it or holding it.

I think this is the most knowledgeable guy that we have in that business. I think he'd be terrific and who are we to tell the Mayor who she can appoint once he's down there?

It's nice that we have a lot of bright guys on Council and I appreciate the nice things they said down there about John DeSantis, and I say that we should appoint him.

Mr. Ferlo:

One of the things that made Mr. Regan a great Judge prior to his election to City Council was the recognition by citizens in that judicial district that when they went before him, that they indeed would have an audience before someone who would be fair-minded, who would not pre-judge the decision or case before the parties arrived before the Honorable Mr. Regan's bench.

The same type of instance applies here. We're not arguing about Mr. DeSantis in terms of his role or the need to have a strong advocate for preservation on the Commission. All of us are emphatically stating that that is the case. All of us, however, have had experience with Mr. DeSantis over the last 5 years, at least myself, in particular, to suggest that he should not Chair

the important work of the Commission, a Commission that is certainly problematic, as experienced over the last few years with a multitude of problems associated with Historical Designation. We need somebody to help us through the process and the 18 months is a lifetime. It may seem like a short time but in terms of the critical work and what's on the agenda in terms of the fundamental rewrite of the ordinance, as well as other issues before the Commission, he is not the person to Chair and to facilitate. He does not have the attributes of being reasonable.

And, contrary to Michelle's comments, I have participated in that Board of Adjustment hearing and my recollection and history of that meeting is entirely different.

The second thing, the Mayor has made some great appointments in the last year and a half in particular. She has made some wonderful appointments at the Housing Court, at the Magistrate level, Human Relations Commission, Urban Redevelopment Authority, Housing Authority, but it's not unusual to go astray on one appointment. Out of 20 great appointments, this happens to be a bad appointment.

It's not a question of making a mountain out of a molehill. This is an important issue and I think we have a responsibility as a legislative branch to provide some checks and balances and to project some issue of reasonableness and fairness which Mr. DeSantis is certainly not.

Michelle Madoff:

I think the reasonableness and fairness is that we're talking about 18 months and I don't recall that any legislation is carved in granite. If, indeed, which I do not believe, that some error or some legislation spearheaded by Mr. DeSantis that wanted to be changed in 18 months, indeed it could be. I've never seen anything go into effect very quickly anyway. Government is

not exactly a hare; it's more like a tortoise.

But, after getting the correspondence and calls in my office, when somebody like Mistick and Sons says, "I don't like him", that says to me that Mistick and sons do not want to have anybody looking over their shoulder. And they need to be having someone look over their shoulder. We know how many bills have come before this Council on various matters that we were not terribly thrilled with some of the attempts by Mistick such as the piping in buildings, that they were allowed to use in their building which we voted to remove from the Code.

I just think that we're making a big mistake by making this such a big issue. I think we're creating bad feeling with the gentleman. Give the man a chance to act in good faith.

The Chair:

If I am correct, the motion here is to table, not defeat. I suspect the reason for the table is to get additional information.

Mr. Ferlo:

It gives time to allow the Administration to rethink their position about the appointment of the Chairmanship. We can untable it next week, Mr. Chairman, and I hope that we're able to do that.

Mr. Regan:

I just wanted to say about the Mistick Brothers, since I know they're probably watching right now, that I think they've done a lot of good in a lot of neighborhoods. They've remodeled a lot of old beat up houses and made them look good. I don't have anything personal against the Misticks and I just would like to say that they have done a lot of good.

And my friend, Mr. Ferlo, if ever there was an antagonistic guy, it's him when he is fighting for what he thinks is right. I don't know of a more fair man or a guy that I respect more than Mr. Ferlo. And if ever there were two guys that are a lot alike, it's him and Mr. DeSantis. I would certainly pick him to Chair anything and I would pick him to head up any Commission or anything the City had because I know he's fair and I feel the same way about this guy, DeSantis.

Mr. Ferlo:

The difference, Mr. Chairman, is that I raised \$150,000 and ran six times for public office and won a response from the electorate.

The Chair:

Let's stay on the issue.

Mr. Cohen:

Mr. President, it's just that the name Mistick and Company has been brought up a couple of times and I want to make clear that my vote has nothing to do with that or any corporation. It has to do with the small property owner.

What happens here is that if you're in a designated area, a small property owner who wants to paint his or her house has to go before the Historic Review Commission and ask for permission to get the color of paint. That, of course, is a detail but it's an important one and if somebody comes before the Historic Review Commission and says, "I can't afford a slate roof" or "I don't want to paint my house this particular color", I want somebody as Chair who can be flexible and who can negotiate with that person. That's why I'm voting to table.

Michelle Madoff:

Point of Clarification. It seems to me that the motion to table is to kill the bill. The people tabling it do not want him as Chairman of that Commission. That's what they said; they're not making any secrets about it. They're up front and honest about it. They're saying, "We're not tabling this bill because we don't want him on the Commission; we're tabling it because we don't want him as Chairperson." And that means it goes back to the Administration for that purpose and I don't think that's what we're here to deal with today. I think we're here to either vote for him as Chairman or not vote for him and I'm prepared to vote for him.

Mr. Coyne:

Mr. Chairman, the role of this Council is to advise and consent. When the statement has been made previously that it's not up to Council to tell the Mayor who to appoint, I think I find a considerable problem with that statement. The Mayor does make the appointments and sends them over to Council for Council to express any concerns.

Now, as you have very clearly stated, the motion here isn't to defeat Mr DeSantis right now. The motion is to hold it for a week to buy Council time to negotiate with the Administration and see if the Administration will say, "Fine, Mr. DeSantis will be on the Commission; however, he shall not be the Chairman."

I think the very essence of the question is his question of objectivity. I don't think anyone is questioning his ability or his sincerity or integrity. They're questioning his objectivity and that's what I'm questioning.

So, I think that Council does have an appropriate role in advising and consenting to the Mayor's Office and I think what we're doing is

well within our rights.

The Chair:

I'd just like to comment. I don't see anything wrong with tabling a bill. If we were voting today on Mr. DeSantis, which I'm not sure we're going to get to or not, I'm prepared to vote on Mr. DeSantis. But, that's not the motion. The motion is to table and there are specific questions that Council is asking the Administration to answer. I don't see anything wrong with that, really, in fairness.

Michelle Madoff:

I won't be here to cast my vote and it might be the deciding vote next week.

Mr. Regan:

I would just like to say that some of the people in Allegheny West feel that Mr. DeSantis will have the same position that he'll have to resign his position as an officer over there if he goes on a Chairman of the Board. So, I think that that would be in their best interest if that's what they think. Then he would be in charge of the whole City of Pittsburgh.

As far as my colleague down there, he's trying to redesign and reshape some of the things that are tough and make them a little bit more lenient for people to be able to afford those houses. And there are some monies available for people to fix up their places.

The Chair:

If the bill is tabled, I would simply like to add that I would like from the Administration an opinion on the legal action that Mr. DeSantis was involved in which was the eight story high-rise that this Council approved, of which the far majority of this Council was not here for to pro-

vide housing for disabled. I voted for that and it has been caught up in litigation for years. That was, I thought, a very significant project for the North Side and it provided needed housing. I'd like a legal opinion on that action.

Michelle Madoff:

I didn't approve it.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ferlo
Mr. Coyne	Mr. Wagner
	(Pres't)

AYES 4

NOES 5

VOTING NO:

Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Millions	

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

It is not tabled.

On the appointment, is there a motion to approve?

Michelle Madoff:

So moved.

Mr. Regan seconded the motion.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES 2

(MR. COYNE AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment of Mr. DeSantis was approved.

Also,

No. 1229 Resolution appointing Marilyn Detwiler, 1201 Resaca Place, Pittsburgh, Pennsylvania, 15212, to the Planning Commission for a term effective immediately and to expire January of 1996. Ms. Detwiler will replace Stephanie Ledewitz.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Detwiler was approved.

Also,

No. 1230 Resolution appointing Don Machen, D.M.D., Esq., 1256 Beechwood Boulevard, Pittsburgh, Pennsylvania, 15206, to the Planning Commission for a term effective immediately and to expire January of 1992. Mr. Machen will replace Edgar Michaels.

Which was read.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And the majority of the votes of Council being in the affirmative, the appointment of Mr. Machen was approved.

Mr. Cohen:

Mr. President, I would like my remarks brought forward on all of these appointments.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON ALL APPOINTMENTS,
WEDNESDAY, AUGUST 1, 1990)

Of Don Machen, Appointment to the Planning Commission:

Mr. Cohen:

We also know each other and I think that it's a great thing that you have been appointed I want to congratulate you.

We know each other through a number of situations but one of which is that you worked at the firm that I worked at for just a few months, we never worked together but from people that I have talked to about you and from the little contact that we have had, I know you to be a man of integrity and very much an independent thinker so I really congratulate you. That doesn't mean I don't have any questions for you so let me ask you a few. First of all, why do you want to be on the Planning Commission?

Mr. Machen:

I believe at this point in my life it's important to give back some of the opportunities, give some of myself for some of the opportunities I have had in the past. I have been fortunate enough to practice orthodontics in Squirrel Hill for fifteen years, practiced law for four years and I feel very fortunate and I think it's time now that with the City being on a course of revitalization, new Council composition of which I think is going to be important for the future, that I'd like to be a part of that.

Mr. Cohen:

Great. One of the most important functions of the Planning Commission member is as I see it really doing a balancing act and I'm wondering if you have thoughts on how you balance the development interests of the City and neighborhood preservation interests; how do you approach that?

Mr. Machen:

It's almost on an individual basis. As far as I'm concerned the merits of each particular project, when the hearings are being conducted and listening carefully to each of the groups and each of the people that are speaking and determining afterwards, after reflexion and discussion and advice from the staff people, then they can be independent decision even though it may be a tough one, so it's difficult to answer specifically but I think it's an individual project basis.

Mr. Cohen:

In that balancing act how much value do you place on neighborhood preservation and integrity of the neighborhoods?

Mr. Machen:

It gets equal attention; it's a very important factor that must be considered because you're impacting a great many lives for a long, long time. These are generally not reversible decisions so their considerations are of utmost importance.

Mr. Cohen:

Thank you very much. I think this was a good selection and I think you are going to do a great job and I look forward to seeing your decisions on the Planning Commission.

Mr. Machen:

Thank you, Mr. Cohen.

Of Marilyn Detwiler, Appointment to the Planning Commission:

Mr. Cohen:

Thank you, Mr. Chairman. Congratulations on your appointment.

I should tell you up front that I don't see that as a conflict, that people who live in the city also live in the county. The City is the major hub of the County. There are potential conflicts of interest down the road. Each of us even at this table have to confront that and when we do we abstain and I assume that you will when you're confronted with that as well.

Ms. Detwiler:

Yes, certainly.

Mr. Cohen:

I would like to ask you a few questions about your appointment and how you would view your membership on the Planning Commission for you to be confirmed.

Similar questions that I asked to Mr. Machen. Why do you want to be on the Planning Commission?

Ms. Detwiler:

I was very honored to be asked. As I say, I have been a long-time resident of the City, I think a good resident of my community. I care very much about the city and I believe that I have a range of knowledge and experience that will enable me to be a part of that body and bring reason and I hope balance to issues that are discussed. I'm very pleased to be asked to serve the City.

Mr. Cohen:

One of the questions and I know it's a difficult one that I asked to Mr. Machen is how one goes about the balancing act that is required of commission members, that balancing act between development, commercial, in order for us to be competitive with other cities and with the suburbs. How do you balance that with neighborhood preservation interests? How do you approach a problem like that?

Ms. Detwiler:

I think not with rigid and pre-set answers certainly. I do believe that one of the great strengths of the City of Pittsburgh is its neighborhoods and its communities. We all live in communities and identify strongly with them and care about their continuing health and vigor.

We all know that the City needs employment, the City needs shopping areas. I think that most of these things can be resolved hopefully through good planning. I think things can be made to fit together and that we can certainly accommodate change within strong existing communities.

Mr. Cohen:

I wanted to follow-up on Councilman Wagner's questions about the riverfront development and ask you whether you -- first of all I thought your description was a good one as to what your vision is of the riverfront and I share that really, a series of parks, marinas, residential areas, restaurants, To really have the rivers come alive and I think we can do that and I think we're on the path towards that.

Speaking of paths, do you favor contiguous public access of the riverfront property no matter what really is there, whether it's residential or some type of small commercial entity like a marina or restaurant. Do you favor contiguous public access?

Ms. Detwiler:

Ideally I think it would be terrific for people to be able to go down to the river and walk along it or run along it or

bike along it for any distance that they wanted to. Realistically there are situations in which that's not possible because of existing uses or because of the necessity for security of uses that about the rivers or other reasons and then I think if you can hop off and hop back on, if you can skirt around in some fashion, it really becomes almost a design problem and I think it's a long-range kind of problem that will get worked out over a period of years as new development occurs along the river.

Mr. Cohen:

I'd like you to try as hard as you can to see that that happens. I realize there are time and places where it can't be totally contiguous but I think it can be virtually contiguous and other cities have done that and I'd see that and I'm glad that at least you share the goal and once we have the goal then we can come close to reaching it.

Ms. Detwiler:

One quick story. I remember reading a doctoral dissertation that a woman had done in the mid-'70's which explored the history of the rivers in terms of public access and if I recall her statistics correctly, at one time there were 70 streets in the City of Pittsburgh that went down to and ended at the river and that over the years those streets were vacated by the City in order for large industrial users probably to use that land and to cut off the access to the city so we really will be trying to restore what was there at one time in the past.

Mr. Cohen:

Good. Finally, I also share and I know the other Councilmembers do, Councilwoman Madoff's point about the time it takes to get a decision for somebody who wants to come in with a development and it often takes years. In fact, we had a public hearing just a week ago where somebody who wanted to put a marina in -- and forgetting the merits whether that would be good or bad for the City, has waited eight years, literally eight years for a decision and you've already expressed your interest in accelerating the process but I would like to add my encouragement for you to do that.

People, whether they're small entrepreneurs or whether they're large commercial businesspeople have a right to have an answer so that they know whether or not they can go forward or not and of course when they get a quick answer it will further Pittsburgh competitiveness with respect to the suburbs and with other cities so I encourage you to do that. Thank you.

Of James Cunningham, Appointment to the Art Commission:

Mr. Cohen:

Congratulations on your nomination. I'm not familiar with your background other than what I've read in your resume so I wonder if you could tell me and us what it is in your background that would best serve you on the Art Commission, best serve the City of Pittsburgh?

Mr. Cunningham:

I have really spent all of my adult life working with the arts and this goes -- what we do at the radio station is specifically involved with putting classical music on the air and one of the things that we hope to do is to make classical music more accessible to more people. We have had a problem with the general perception that the arts are something that can only be enjoyed by a very few and the arts are to be enjoyed by everybody and can enrich everybody's life and we work very hard at trying to break down the barriers, the perception that the arts are elitest and for example at our radio station the idea is that this is something that anybody can enjoy and it's simply a matter of the way it's presented, classical music has usually been presented -- I guess people think of the announcers who work for classical stations for example is somebody who wears a tuxedo and sits in an overstuffed chair with a brandy snifter and we're --

Mr. Cohen:

-- you really have had led into my next question which has to do with just that. I think art is sometimes perceived as being for the rich and in fact it isn't and shouldn't be -- I mean it is to the extent that tickets are expensive for some events in this city and I define arts pretty broader as it sounds like you do including the performing arts and music, visual arts and I'd like to know what you think about how we can do better in brings arts to the neighborhoods because that's what we really need to do I think to expand the appreciation of the arts in the city.

Mr. Cunningham:

It's tied in with the question that Michelle raised about the money and the sources of revenue and how we can find more money to fund more art to artists like everything in the world getting more and more expensive and artists have to eat. A sculptor who sculpts a painting is going to charge a fee and if we can find more money to fund more projects we can put more art into the neighborhoods and I think you're absolutely right that we have to do more to get more public art into each individual

neighborhoods and not think so much about just the central core of the city.

Mr. Cohen:

I would like you to also look into the legislation that Michelle mentioned about. There is a percentage of at least construction, major construction contracts in the city that is allocated to art for the construction project; usually it is a building and that's something that the Art Commission really could use to its advantage and to the advantage of everybody in the city because I agree with you that arts are undergoing a difficult time but at the same time the arts really are the sole of the city and that legislation was put into place so that we can have art work, important buildings throughout, projects throughout the city and I would like you to see you pursue that if you would.

Mr. Cunningham:

I will.

Of Raymond Schinhofen, Appointment to the Art Commission:

Mr. Cohen:

Congratulations on your appointment. I'd like to ask you the same question.

I have your resume but I'd like you to tell Council and the City what it is in your background that would best serve you on the Arts Commission.

Mr. Schinhofen:

I was born in the City of Pittsburgh and I have been a life-long resident and I have a degree from Carnegie-Mellon in Architecture and I've lived in Squirrel Hill since 1960 where we raised our family.

I have my own practice for about the last 15 years and until seven or eight years ago I was very much involved in the community and in the last period I was pulled back from community activity in order to get our children through college and we're sort of out of the woods now in that respect and I would like to again get involved in community activities.

We have done a lot of work in the City of Pittsburgh and a great deal of residential work, some commercial.

I heard discussions of the riverfront -- interest in riverfronts. Back in the late 1970's we did a study for the

Southside riverfront, an urban design study and as a matter of fact portions of that have been executed. The park going to the Brady Street Bridge and the Boat Launching Ramp and my background of course is generally working with the City of Pittsburgh.

Mr. Cohen:

Certainly your residency is in your favor. Tell me what your goals would be on the Arts Commission?

Mr. Schinhofen:

To have some impact on the image of the City, especially in public areas and some buildings. I think the City could be the best example of art in the neighborhoods. When the City develops a project in the neighborhood, I think they should be very sensitive to the example that they are giving to the residents of the neighborhood.

Mr. Cohen:

I agree with you very much. That was the question that I asked the last appointee. We have a beautiful downtown and hopefully it will continue to adorn our downtown with art works like the Caliguiri statue that will be here at the City-County Building but at the same time we need to bring more into the neighborhoods; that's really what the greatest part of this city is; its richness is its neighborhoods so I'm glad to hear that you would work towards bringing more art into the neighborhoods and I've studied your resume and you have a really very strong background and I wish you the best of luck on the Arts Commission.

Mr. Schinhofen:

Thank you.

Of Howard Graves, Appointment to Historic Review Commission:

Mr. Cohen:

Mr. Graves, congratulations on your appointment. You're being appointed to the Historic Review Commission at a time when historic preservation in the city is controversial. We have had a number of controversial issues that this Council and also the City as a whole has had to address in Shadyside West, in St. Peter's Church, Allegheny West and other places that will follow so I have a few questions for you.

Let me begin with a general question that I have asked other people which is, what in your background would you think would best serve you on the Historic Review Commission?

Mr. Graves:

I think my background, my education is an architect and I think in addition to that would be my years of practice and experience and a lot of the communities directly related to historical preservation. More notably the Manchester community.

Mr. Cohen:

Can you tell me your experience with the Manchester designation?

Mr. Graves:

I was working with City of Pittsburgh, the URA and I was assigned that particular project as an architect. I had a staff of 16 people whose responsibility involved identification of and classification of various historical structures in the neighborhood. Those being more significant than others. I think the end product however was really to find ways in which these various structures could be financed to give people housing who never had that opportunity to have housing.

Mr. Cohen:

You are now a registered architect; is that right?

Mr. Graves:

Right.

Mr. Cohen:

Are you employed as a registered architect?

Mr. Graves:

I'm self employed, I have my own business, Graves and Associates, and our commitment is to the Pittsburgh community at large. We're involved in a number of non-profit community revitalization groups both in the Hill and in the Homewood-Brushton community.

We have been involved in this kind of business for a long time. As an associate when I was with a larger firm and in my own practice, it is one of our areas of interest. I believe that I think what's really important aside from myself being an architect and the reference points that I have with respect to backgrounds of historical restoration, I think is my focus as an individual and if I could paraphrase Isaiah where it says that "He that shall be of Thee shall rebuild the old waste places and will rise up the foundations of many generations and they shall be called the Repair of the Breach, a place for people to dwell

in" and I think that is a summation of my philosophy as an individual and my commitment to the City of Pittsburgh as a whole.

Mr. Cohen:

There is a community group in my district that also borders on Councilman Milliones district called breach menders and I think they use that same phrase.

I want to ask you about specific historic designation issues. I don't think the specific place is in the city, I don't think that's appropriate but I do think that the historic legislation on the books now is seriously flawed and I just want to explore a couple of areas of that with you. One of them is that it doesn't take into account people of moderate or low income. People who are hardship cases and that is something that has concerned me about the historic designation from the beginning. I am very much in favor of historic preservation of the great sites and neighborhoods in our city but there are times when individual homeowners who live in historic districts or even an historic site have been required by the Historic Review Commission to do things that they can't really afford to do. Example, if they live in a house with lead windows or with slate roofs. Of course it would be in the best of all worlds to preserve that with those lead windows or slate roofs but sometimes the people who have come into those homes and bought those homes can't afford to do that and I'd like to know whether you will be sympathetic towards those types of people in negotiating compromises with them.

Mr. Graves:

I think that one of the things that is currently being undertaken now is the Ordinance for historical preservation is being rewritten. I think in light of that myself as an individual and a part of that commission would be involved in that process. I think that process has to be one that again is sensitive to a lot of the issues related to individual home ownership.

I think that this is pretty much what happened in Manchester. I think that when we go into an area where it's designated historical registry and it's significant in that sense, I think that along with that there should be a commitment to the residents of that area to make funds available to offset costs associated with the preservation. I think that is done on another level but I think it's been my understanding that this Administration in fact has made that kind of commitment via a lot of programs through the URA. So a lot of concerns that you mentioned here are in effect are things that have been addressed.

Mr. Cohen:

I don't think that that's the case. The URA certainly does a lot of good things for low income people but there aren't any funds established; I've looked into this. There aren't any funds established for this purpose for people who really can't afford the cost of historic designation and I'm certainly not asking you to start such a fund but would ask you if you would be sensitive to those concerns of financial hardship.

Mr. Graves:

I think that there is no progress often times without some level of compromise. I think that I'm one that can look at the issues. I'm a professional problem solver and I enjoy doing that and I enjoy doing that in relationship to the needs of people. I think there are opportunities and ways to identify methods in which to accomplish those things. So I guess I'm a bit optimistic because I have seen it work in other ways.

Mr. Cohen:

One other question for you and that is with respect to the timing that the Historic Review Commission takes -- the time that it takes to render decisions.

There have been times when the decision making process is a lengthy one. In government it seems that you often have that but when a district or a site is designated as you know it puts a freeze on that property until the Historic Review Commission makes a decision and I'd like your commitment to work with all deliberate speed on cases that come before the Historic Review Commission to try to speed up that process.

Mr. Graves:

A lot of people think architects are somewhat procrastinators. I think that is part of solving a lot of the problems. I think that it addresses part of your first question and I think that if there is hardship, that there's a time element involved where issues are not resolved and decisions are not made, I think my approach of things that I take things that are in front of me and I feel comfortable with them to a level because I understand that I can't solve all the issues and I make a decision. Good or bad I made one.

Mr. Cohen:

Judging from your resume and from our discussion I think you'll make good ones. You really do have a strong resume and I see here that you have received many awards and honors and I think that the City of Pittsburgh will be very well served by your service on the commission.

Mr. Graves:

Thank you.

Of John DeSantis, Appointment to Historic Review Commission:

Mr. Cohen:

Mr. DeSantis, congratulations on your appointment. I think you can tell it's somewhat a controversial appointment and for a controversial issue that has faced the City and that is historic preservation.

I'm very interested in your answers and have a few questions for you because I think it's a very important appointment for a very important position.

You said at the beginning that you think we should keep down the divisiveness but to take steps to reduce the pitting of part of neighborhoods against other parts of neighborhoods that has happened so many times. I've seen it happen personally in Shadyside. Councilman Regan and Councilman Milliones certainly have seen it Allegheny West, all of us have seen it. How do you plan to do that?

Mr. DeSantis:

I think that it's something we can't accomplish overnight. I think there are a couple of different ways to do it. One is to make the system logistically as comfortable as possible for as many people as possible and by that several of you in some of the earlier questioning have alluded in the Planning Commission process to the length of time. I think that it is very important that we cut the period of time required for the various reviews as much as possible. Now frankly that has already been done to a large extent within the historic review process but I think that making -- the first step in doing that is making the process itself honestly as palatable as possible and what that does is reduces the objectionable nature of the process as much as possible.

The second is a matter of education in the community and I see that as really two levels of education. One is the entire total community which would be not only everyone who lives in this city but also everyone who has any contact with this city and in that context I think that we have -- and I see this as the role of the Historic Review Commission, to work with other groups in this city who are interested in preservation issues as well as with other branches of government to see that there is an ongoing positive image of preservation throughout the city, not just to people even who are residents of this city but so that people understand when they are seeing preservation what it is because a lot of times unfortunately it gets treated as an

abstract effect. In fact, that's the way we're dealing with it today. We're dealing with it as an abstract concept and it's not. It's a real day-to-day living existence kind of a thing that people deal with and it affects people and so as an example, when people are going to Station Square for entertainment or when people are going to the Benedum Center for a cultural event, I think it's important that people recognize that that's what preservation is about. Preservation is not this concept locked away in a glass case. It's something that people interact with every day. That's on the broader scale. On the more narrow scale taking it down to an individual community, I think once again it is a role that the HRC is not legislated to perform put in concert with other preservation entities in the city, and I'm not just talking about the mega-entities like Pittsburgh History and Landmarks Foundation, but every community in the city has organizations or small groups of people who whether they call themselves preservation groups or not are doing it. When you've got a group who is working to be sure that they're church is going to still be standing 100 years from now, that's a preservation group. They may not call themselves that because all they're concerned about is that one building but that's what they're doing and I think that in working with small groups, large groups and everything in between, anybody who has a part in that preservation of this city, whether it's one building or one neighborhood or the whole city, I think we need to find ways to help them use preservation as the tool that it can be.

The Chair:

Excuse me, do you have another question?

Mr. Cohen:

Yes. I think that part of your answer was meeting with preservation groups throughout the city. That's important, no question about it. You need also to meet with the other side, with other groups as well and I don't want a long answer on this but are you also willing to meet with groups that have a different perspective from the one that you have throughout this whole process?

Mr. DeSantis:

It's not a matter of willing, it's a matter of it's the only way that it can happen. And to use my own neighborhood as an example, in a community in which there is a component of people who oppose the designation of that community, I think that it is incumbent upon the Commission because that's the level that is closest to the root of it. It is incumbent upon the Commission to meet with those people to explain to those people to find out from those people what it is that their concerns are, to see what is legitimate concern. Are there real

problems that the process does create for those people?

The Chair:

Excuse me, do you have another question?

Mr. Cohen:

I have a few others. Sorry, but I do think this really is an important appointment.

With respect to my \$64,000.00 question about you is, you have been described in various forms as being an ardent preservationist. I don't have a problem with that. I consider myself an ardent preservationist or preservationist but you're being appointed to a position where your role is a very different one and your role as a good chairperson of the Historic Review Commission involves a lot of negotiation. Negotiation between different sides so that we don't have neighborhood pitted against neighborhood and people against people and my question is, can you at times at the necessary times suppress your personal views, your personal zealotness as some people have described it in order to promote the greater good of reaching a solution for historic preservation?

Mr. DeSantis:

It gets back to an answer that I gave earlier. It doesn't do any good for the Historic Review Commission to say "Yes, this is important let's designate it" and then send it to you in the form that you folks can't say yes to and by that I mean, if we know at the grassroots level that it is not possible to send this up without civil war, then I think it's important for us to continue to do the homework at that point.

Now you get into this time factor. How long do you keep working? What happens -- and I have a dozen years working in community groups throughout the city, there will always be people who have reached their decision before they've gotten the answers.

I can tell you that I am committed that I know that the process has to be gone through but I can't pretend to you that the controversy is not going to go away.

Mr. Cohen:

My question is, can you compromise?

Mr. DeSantis:

Yes. I think that's where the new legislation is important because right now the current legislation -- it just doesn't

offer a compromise. I think if we had a couple of different levels of preservation available that would be a probability.

Mr. Cohen:

Is there a neighborhood preservation district where there isn't the detailed regulation of the color that you paint your house and the type of minutia that the Historic Review Commission often gets into but it gets to whether or not you can demolish or construct a house and if you have neighborhood support then neighborhood conservation districts can accomplish that. Are you inclined in favor of having neighborhood conservation districts?

Mr. DeSantis:

I'm sorry, I wasn't specific about that before. You have described precisely what I believe the legislation lacks and needs and I very strongly support having that.

Mr. Cohen:

It has been tried in other cities and I think very successful.

Mr. DeSantis:

It's in use everywhere in the country.

Mr. Cohen:

Thank you, Mr. Chairman.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 1256

Report of the Committee on Finance for August 1, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 893

A Resolution entitled, "Resolution requesting the Mayor to establish the Pittsburgh Food Policy Commission." --- (SPONSORED BY MR. FERLO, MR. COYNE, MR. DARKINS, MR. REGAN, AND MR. RICCIARDI) (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Ferlo:

I'd like my remarks brought forward on this bill please.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 893-Wednesday, 8/1/90)

Mr. Ferlo:

By way of proceeding on this vote on this bill, I would like to offer a substitute amendment based on negotiations and discussions with Mayor Masloff and her Administration.

At this time I would like to move to amend by substitution, and you have a copy of the bill before you.

Thank you, Mr. Chairman. Very briefly, because I want to move expeditiously on this, this legislation has been submitted, it was the subject of an extensive public hearing several weeks ago, and I thought a well-attended and informative public hearing. This is the creation of a food policy commission in the City of Pittsburgh as a result of discussions and negotiations with the Mayor, her administrative staff and Director Downing from City Planning, discussions with the advocacy group, Just Harvest, who helped to spearhead this initiative and the drafting and helping to write this legislation, along with Irene McLaughlin from my office.

The suggestion from the Administration is, one, that they would like to be supportive of the creation of the commission. They had a specific problem with creating, by way of ordinance, a permanent commission, and their suggestion was that they appoint the commission and that it be by resolution requesting this of the Mayor and the Administration, which I am perfectly happy with and thank the Administration for recognizing the need and the justification for such a commission and for cooperating, and really I hope living up to what the mandate of this commission will be.

One of the unfortunate realities of the economic changes and demise of certain industries in this city, specifically since the '60's, is a tremendous loss of employment opportunities, and where new jobs have been created, we still have, unfortunately, a situation where we have many working people who now work for or near minimum wage positions. In this city alone, as we know, we have specific problems with the public housing communities. And the idea of the commission is to establish a research and a planning and a policy body that will look at the issue of access to food, the affordability, the availability of food everywhere, from public housing communities, with the establishment of food co-op buying clubs or the establishment of commercial centers, to neighborhoods that traditionally have been stable residential communities but have suffered from the onslaught of the demise of inner-city supermarkets. So the problem and the need is very clear; not only has it been well-stipulated in the public hearing, but this Council has a good track record in trying to deal with the realities of the problems of lack of food and the affordability of food. We moved in cooperation with the Just Harvest and other food advocates here today to creating a response in city government, and that response for the last several years has been to target monies to food pantries operating throughout the city. That, unfortunately, is somewhat

of a bottomless pit and it still doesn't meet the overall need. And what this commission proposes to do is begin to make systemic changes in city government, in the food industry locally, so that we are not only trying to grapple with a few dollars to meet a very large need to the food pantries, but that we can begin to be far more creative and progressive at looking at the problems associated with lack of food or the affordability and availability of food. So the commission would be broadly representative of those not only advocates in the community, but also representatives, entrepreneurs, business people from the food retail industry.

The goals and objectives are spelled out in the legislation. This legislation unusually already has the support of six members of Council, and recognizing that the Administration is cooperating and is supportive of this commission, I didn't see a need to specifically ask Director Downing to be here. But if there are any questions or any supportive comments, I would appreciate that and I would ask for support of this legislation.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Millionses	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council not being in the affirmative, the bill was tabled.

Also,

Bill No. 1109

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Middle States Steel Construction Company in the amount of \$41,821.08 for the purchase and installation of debris nets at the Greenfield Avenue Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1110

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Derek Martin and Associates in the amount of \$3,000.00 in payment of design of alterations and additions to the electrical system at the

Public Safety Communications Center, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Millionses	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1118

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Thirty-Four Thousand Seven Hundred Forty-Eight and 13/100 (\$34,748.13) Dollars for payment, without previous authority of law, to Mistick, Incorporated, Thomas Mistick, President, for refurbishing of the existing elevator at #5 Police Station, and providing for the payment thereof. Funds are available in Capital Project account #3-30-01-0003-90, Index Code 830109, Bureau of Repairs and Operating Maintenance, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
Mr. Regan	(Pres't)

AYES 5 NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1120

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Traco Co., in the amount of Five Thousand Six Hundred Twenty (\$5,620.00) Dollars, in payment for windows for the addition to the Public Works' General Office Building."

Which was read.

Also,

Bill No. 1128

A Resolution entitled, "Resolution providing for

the issuance of a warrant in favor of Abby Mendelson, 5851 Northumberland Street, Pittsburgh, PA 15217, in the amount of \$1,500.00 in payment for professional consulting services rendered to Michelle Madoff." ---**(SPONSORED BY MICHELLE MADOFF)**

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1129

A Resolution entitled, "Resolution transferring the amount of \$1,500.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation."

---**(SPONSORED BY MR. MILLIONES)**

Which was read.

Also,

Bill No. 1131

A Resolution entitled, "Resolution amending Resolution No. 308, approved March 26, 1990, effective March 30, 1990, entitled 'Providing for the acquisition from Rose Marie Balestrieri certain property located in the 8th Ward, City of Pittsburgh and providing for the cost of the payment thereof,' by increasing the maximum authorized amount from \$28,500.00 to \$28,823.88; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1132

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

Also,

Bill No. 1133

A Resolution entitled, "Resolution authorizing the transfer of forty thousand dollars (\$40,000.00) from Code Account 1082, Index Code 108209, Miscellaneous Services, Supplies and Equipment, Etc., Department of Law to Code Account 1479-9, Index Code 147991, Worker's Compensation, Department of Public Safety, Bureau of Building Inspection."

Which was read.

Also,

Bill No. 1163

A Resolution entitled, "Resolution transferring the amount of Twelve Thousand (\$12,000.00) Dollars, from Code Account 1502-1, Education and Training, Index Code 150219, to Code Account 1612-5, Rental of Equipment, Index Code 161257 and Thirty Eight Thousand (\$38,000.00) Dollars, from Code Account 1505, Index Code 150508, Equipment, to Code Account 1612-5, Rental of Equipment, Index Code 161257 and One Hundred Fifty Thousand (\$150,000.00) Dollars, from Code Account 1063, Miscellaneous Services, Index Code 106302, to Code Account 1612-5, Rental of Equipment, Index Code 161257."

Which was read.

Also,

Bill No. 1164

A Resolution entitled, "Resolution transferring the amount of Thirty Thousand (\$30,000.00) Dollars, from Code Account 1612-1, Repairs, Index Code 161216, to Code Account 1612, Materials, Index Code 161208 and Five Thousand (\$5,000.00) Dollars, from Code Account 1612-1, Repairs, Index Code 161216, to Code Account 1611, Supplies, Index Code 161109, all accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 1165

A Resolution entitled, "Resolution transferring

the amount of Twenty Thousand (\$20,000.00) Dollars from Code Account 1063, Miscellaneous Services, Index Code 106302 to Code Account 1610, Miscellaneous Services, Index Code 161000 and the amount of Twelve Thousand (\$12,000.00) Dollars from Code Account 1502-1, Education and Training, Index Code 150219 to Code Account 1610, Miscellaneous Services, Index Code 161000."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1257

Report of the Committee on Public Works for August 1, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1121

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental Resources, for the purpose of granting the Department of Interior and the Department of Environmental Resources a right of entry into, over, and upon certain lands owned by the City in the 15th Ward, and a license and right to install mine drainage piping."

Which was read.

Also,

Bill No. 1122

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental Resources, for the purpose of granting the Department of Interior and the Department of Environmental Resources a right of entry into, over, and upon certain lands owned by the City in the 19th Ward, and a license and right to install mine drainage piping."

Which was read.

Also,

Bill No. 1123

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental

Resources, for the purpose of granting the Department of Interior and the Department of Environmental Resources a right of entry into, over, and upon certain lands owned by the City in the 31st Ward, and a license and right to install mine drainage piping."

Which was read.

Also,

Bill No. 1166

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for furnishing, installing, removing and relocating certain electrical equipment necessary for street lighting in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1167

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts for public sidewalk construction at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1258

Report of the Committee on Planning, Housing and Development for August 1, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 867

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From 'C3' Commercial District to 'R2-T' Townhouse Residence District all that certain property bounded by: PENN AVENUE; the R2-T zoning district boundary line located between LIGONIER STREET and THIRTY-FOURTH STREET; SPRING WAY, Lot No. 284, Block 48-S in the Allegheny County Lot and Block System, 6th Ward."

Which was read.

Mr. Ferlo:

On Bill No. 867. This bill is very important because it would allow the rezoning in the Billboard Square area. This is a rezoning being requested by the two development organizations and assistance group in the affected area to join initiative with the Urban Redevelopment Authority and the Administration to make a major impact of remodeling and renovating the area, both commercial as well as new housing.

So, obviously I'm strongly in support of the rezoning to "R2-T" as represented in Bill 867 and I'd like my remarks brought forward.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 867, WEDNESDAY,
AUGUST 1, 1990)

Mr. Ferlo:

This was a subject of a public hearing held a couple weeks ago. It's an effort by the City and the community organizations in Lawrenceville and others to begin to make a major impact on renovating the Doughboy Square area. This small parcels will be converting some commercial property to the "R2-1" townhouse for construction and hopefully will start in a couple of months and I would appreciate support for this rezoning.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 1124

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the ARC House, Inc., for the rehabilitation of their facility located at 1216 Middle Street and 800 E. Ohio Street for the purpose of bringing said properties into compliance with all applicable orders, at a cost not to exceed \$125,000.00."

Which was read.

Also,

Bill No. 1125

A Resolution entitled, "Resolution amending Resolution No. 698, effective August 23, 1989 entitled 'Resolution providing for an Agreement or Agreements with the Homewood-Brushton Community Improvement Association for general site improvements at their property located at 7400 Frankstown Avenue,' so as to change the purpose of the Agreement(s) to administrative/operating expenses for the Agency."

Which was read.

Also,

Bill No. 1126

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 79, effective March 7, 1989, as amended by Resolution No. 776 of 1989 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program,' so as to delete a line item in the Department of Personnel

and Civil Service and increase a line item in the same department."

Which was read.

Also,

Bill No. 1127

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986, as amended by Resolution No. 1180 of 1986; by Resolution No. 43 of 1987, by Resolution No. 715 of 1989, and by Resolution No. 133 of 1990 entitled 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program', so as to decrease a line item in the Department of Engineering and Construction and create a line item in the Department of City Planning."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 1259

Report of the Committee on Parks and Recreation for August 1, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1130

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill House Association for the Uptown Little League for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation." --- (SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Darkins
Mr. Ferlo
Michelle Madoff**

**Mr. Regan
Mr. Ricciardi
Mr. Wagner**

Mr. Milliones

(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1260

Report of the Committee on Public Safety for August 1, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with a NEGATIVE recommendation,

Bill No. 1056

A Resolution entitled, "Resolution Repealing Resolution No. 731, approved September 14, 1989, entitled, 'Providing for an Agreement with a consultant to conduct a comprehensive study of fire protection services within the City of Pittsburgh and providing for the payment thereof.' --- (SPONSORED BY MR. FERLO)

Which was read.

Michelle Madoff:

I respectfully request that my comments be brought forward.

Mr. Ferlo:

I'd like my comments brought forward, Mr. Chairman.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO AND MICHELLE MADOFF'S COMMENTS ON BILL NO. 1056, WEDNESDAY, AUGUST 1, 1990)

Mr. Ferlo:

Discussion. Very briefly, I'm sure others will want to come to the table to address the issue.

Basically I've submitted this legislation in response to what I had believed up until yesterday having received a copy of the scope of services and activity on the part of the Administration regarding proceeding with a so-called study of the Fire Department. The \$195,000.00 was an expenditure and an authorization approved by Council, a previous council last year. I strenuously objected to it at that time basically on the belief that I believed the study was not needed. That the basic intent of the study was to create a document, a public policy document, public relations document, whatever you want to call it, to buttress a belief that's already existing in the Administration and that is to relocate and close possibly a number of fire stations and possibly continue with an administrative intent to reduce the available number of firefighters and the number of engine companies, something that they actually have already started several years ago. I argued at that point that basically it was inappropriate to expend this large sum of money and having not had received any information up until a couple of days ago, I wanted to put this issue back before not only City Council but back before the public.

We have a new City Council. The old Council supported the legislation but I thought it was important and I use this as a vehicle to get this issue back before us today.

My argument strongly is that this is a waste of money, the \$195,000.00. That if the Administration through the budget proceedings in a couple of months wants to come forward this year and next year with some new ideas on reconfiguration of the employees or the location or operations of stations, that's something that they should just do and come to us.

Everything I've seen in the last ten years in the Fire Department has been continually improving, not only fire suppression but enforcement and all the other kinds of activities that the Fire Department has gotten involved in the last five years in particular. I think it's more a question of annually earmarking appropriate resources to give them monies for equipment and education and prevention and enforcement and the other kinds of activities that we want to go on in the Fire Department.

As far as the stated purpose of the fire study, I don't support it and I think the expenditure is a waste of money. I think the Administration should come forward with proposals that

they deem it necessary. I'm not about to pay for the creation of a document that would suggest that we need to close stations which I think is the reality if we proceed.

The bill today is repealing the authorization; it doesn't repeal the right of the Administration to do what they want regarding Administration of the Fire Bureau. And I would ask support for the legislation.

Michelle Madoff:

Mr. Chairman, may I please ask the Fire Chief and Mr. Cannon to come to the table?

And while they're coming, for the record, I was one of the people who was absolutely disturbed by the fact that the Law Department gave very bad advice to these gentlemen not to show up at the hearing. I think all of us were very disturbed by that and I think it really created an atmosphere of confrontation; it was absolutely unnecessary.

The Chair:

Do you have questions?

Michelle Madoff:

Question. Mr. Cannon one of the questions I wanted to ask the other day but you were not here is originally if memory serves me well, you were opposed to a study and now you are asking for a study; would you please explain the change in your opinion?

Dir. Cannon:

That is incorrect. Your question to me as you wrote it was why did I oppose a study of the Fire Bureau in 1986 and why do I now feel it is necessary?

Michelle Madoff:

I think I just said that but that's okay.

Dir. Cannon:

In 1986 there was no fire study to either support or oppose either from the Administration or from City Council. The first discussion of a fire study on anyone's public agenda occurred in late 1987 in preparation for the 1988 Budget and that came as a result of Councilmember Wagner introducing that the fire study in putting the money into the budget for 1988 at the request of the fire union at that point in time. The City Administration and myself then as the Public Safety Director neither supported

nor opposed that and if you look at the agenda and the line item veto that the Mayor would have had taken to show opposition to a line item in the budget, it does not exist. That was placed into the budget by the Council for 1988 and it became part of the budget, there was no opposition. So in 1986 there was not any discussion of any study either on Council's agenda or the Administration's agenda.

Further in support of that, I have a document dated December 18, 1987, the end of 1987 going into 1988 to the Members of Council and it's signed by Joseph King who was then Vice-President of the Firefighters Union. And it says, "On December 14, 1987 a preliminary vote was taken concerning the 1988 Budget for the City of Pittsburgh. An issue was raised by Councilman Wagner concerning the manpower and structure of the Bureau of Fire. We Pittsburgh firefighters Local No. 1 also have concerns about this issue. Councilman Wagner is concerned with the needs of the Bureau, the structure of the Bureau and the number of units necessary. He's in support of an independent study of our Bureau and the Pittsburgh Firefighters support such a study."

Michelle Madoff:

So the issue has become clouded and you just clarified it.

Dir. Cannon:

That's how it was put in and in fact in 1986 there was no study on either agenda and the Administration represented in this issue by the Mayor, myself or the Fire Chief did not oppose the inclusion of that in the 1988 budget and last year came to Council and sought authorization to move ahead and in fact were granted that and we have now moved ahead.

Michelle Madoff:

There have been some characterizations made here by Mr. Ferlo that the purpose of this study is because there is a secret agenda to dismantle the Fire Department in some manner and it would seem to me that that needs some clarification. It should not be left hanging for the public's perception and would you please tell me now and members of Council why you feel the study is important and what do you hope to gain out of it and to what end?

Dir. Cannon:

I would be happy to. Some people's powers for telling what it is in the future are phenomenal and what is in other people's minds but in any case what I'd like to do is read into the record from the request for proposal that has been circulated

throughout the United States. It certainly speaks to why we're looking at a review of our fire protection capabilities.

The last comprehensive study of the City's firefighting capabilities was in 1969. Since that time there has been a steady decline in the population of the city. The population in 1970 was 520,000 and approximately in 1990 the number of people residing in the city is expected to drop below 380,000.

In the same time period an equally dramatic shift occurred in the use of property. Many industrial properties became vacant while new modern high-rises were erected in the central business district and elsewhere. These changes coupled with improved building codes have lessened the number of structural fires to which the Bureau responds. In 1970 there were 7,227 fires and by 1989 this figure had declined by over 52 percent to 3447. But conversely the Bureau's other emergency responses have rapidly grown. These activities are attributable to the Bureau's participation in basic emergency medical responses which is our first responder program and responses to private fire alarm systems. Additionally hazardous materials incidents continue to escalate and constitute a growing responsibility for the Fire Bureau and we had one last Sunday and it has been increasing responsibility for both Fire and EMS.

The City therefore, is interested in a current analysis and recommendations for the future. Addressing the fire protection delivery system as it is related to certain goals of the Fire Bureau and we have established in all the bureaus of Public Safety goals and objectives and we review those every year and we submit those to the Administration's part of the budget process.

Those goals within the Bureau of Fire are preventing fires before occurrence through code enforcement and educational activities. Preventing injuries and death through fire education programs. Confining fires to rooms of origin through modern built-in protection systems. Suppression of fires in floors or buildings of origin after occurrence by the timely response of modern apparatus that are adequately staffed with well-trained and supervised personnel.

Continued upgrading of equipment, vehicles and facilities to attain modern safety and operational standards and nationally accepted practices and responding to all emergency calls in five minutes or less 90 percent of the time which will enable basic firefighting functions to be initiated, this includes fire tactics and rescue.

The goal of this project is to provide a review, analysis and a recommendation addressing the current and future fire protection delivery system for the City of Pittsburgh.

The review and analysis of the current delivery system would include the following: apparatus and station deployment configuration, apparatus staffing levels, apparatus and station house physical condition, apparatus suitability, response times from both the time the caller calls in and also from the time the unit is dispatched.

Dispatch and fire ground communications, dispatch and move up procedures, the frequency and type of alarms, the frequency and type of calls for service, analysis of and relative ranking of all major fire risks that we have presently today in our city not from 20 years ago. Magnitude of fire losses both life and property. The water supply, hydrant distribution, maintenance and adequacy of that system. The fire ground management command structure, personnel staffing patterns including but not limited to shift duration sequence, the Bureau's management structure, inter-municipal cooperation, the adequacy and effectiveness of our fire prevention activities, recruit in service and specialized training, a look at the adequacy and the effectiveness of our EMS response in fire and radio communications. And then we asked the consultant to provide a written report looking at two areas particularly. The City's necessary fire suppression capability from 1990 to 1995. And because we understand that population is not the only thing someone should look at, we define the other issues we want the consultant to look at. The housing stock conditions within the City, the business and commercial requirements within our city, the topographical and geographic characteristics within our city, the traffic patterns and congestion, the varied accessibility problems, weather patterns and conditions, population patterns including the daytime working population contrasted with the evening population. Changing staff capabilities and nationally accepted practices and standards including pre-employment and incumbent physical fitness.

And the secondary deals with the fire prevention activities. The report must address and provide recommendations for the economical and efficient expansion of enforcement of the Fire Code, maximizing the effective utilization of built-in fire protection system, increasing the public's awareness concern and capability contributed to fire protection goals."

I know it was lengthy but I think --

Michelle Madoff:

-- you'll give us copies of that?

Dir. Cannon:

-- you have copies, it's been circulated and as you look through this there is nothing in this document that pre-supposes an outcome that says we believe that this is the direction we

want you to go and in fact there is a steering committee that has put this together. It is made up of myself, the Fire Chief, Councilmember Wagner, Deputy Fire Chief John Gorley and a representative from the City's Budget Office because there may be financial impact here, Carolyn Marks or Ralph Horgan.

That's the group that contributed to what's on this page. I can point to specific things that Councilmember Wagner wanted to see, some things that the Fire Representative wanted to see and things that the Chief and I would like to see.

So it was an effort of that group. It is now out and it has been sent out around the country. There may be a concern of how the consultant will be selected. We have already discussed among the Committee that in fact of the group that comes back in, we'll narrow that down as a committee to one-half dozen and then we will bring that half dozen in for interviews in front of the committee.

Michelle Madoff:

So that what you've stated is that you're straightforwardly saying to us there is no secret agenda and the question would follow then from what you have just stated would be, any changes that might be recommended by the Committee and the Administration would not be made without coming forward to this Council or could they be made with coming to Council?

Dir. Cannon:

The consultant's report would certainly be made available to City Council.

If we decide to implement the consultant's study, that certainly is the Administration's duty within city government but if it requires things such as capital expenditures. If new fire stations need to be built or new equipment needs to be purchased, that always comes before City Council and you certainly approve every budget both operating and capital each year.

Michelle Madoff:

Let me tell you why I'm asking the question because I'm not taking any side, I'm voting the way I believe is correct.

One of the points that was made at the hearing was that in other studies that have been done the implementation by the Administration of record at the time was to implement what was fiscally in their best interests and not care for the people in a given community such as the Penn & Lang Fire Station was recommended to be left in operation but it was taken out of operation, that's Number One and subsequently it has been stated

by the firefighters representatives that extra debts occurred because of that action and I'd like if you would -- would you address that because I looked at the data on the deaths and I noticed there was six in one family in my community. Was this a one-family issue?

Chf. Dickinson:

I'd like to respond to that. That incident in 1989 did have an abnormal amount of multiple fire deaths. We had three separate fires in the calendar year 1989. Three separate families suffered multiple fire deaths.

It is quite true that Engine No. 16 is no longer there would have responded to that fire, however, it was not the first-due company. The first-due company was there within two minutes and I have a radio tape that you can listen to and the fire was already well involved on Tioga Street with multiple fire deaths occurring and people were already on the roof trapped. It would have made no difference what engine company arrived there first, the deaths had already occurred.

I have to tell you that this issue is certainly not an issue of the firefighter's capability in the City of Pittsburgh. We have great firefighters. I implore everyone to listen to me before we embark down this journey. Nobody is going to be happy with some of the outcomes of this study, I can guarantee you that. But what everybody has to understand is that this is not focused at the day-to-day workload that the Pittsburgh Firefighters willing to cooperate and do, nor his intent or his dedication on the fire ground. That is a completely and separate non-issue with the Fire Chief in the City of Pittsburgh's Bureau of Fire. What we're talking about is deployment and a modern fire service that can provide a level of service that we believe we're capable of. It has nothing to do with fire ground operations and that we can do better, we can have better firefighters; that's the last thing in this Fire Chief's mind.

Michelle Madoff:

Is this similar to the fire that took place on Northumberland some years ago right across the road from the fire station and the people were trapped and there was a death?

Chf. Dickinson:

Exactly. I think the parody of fire protection is that it is an emotional issue. What is enough? If we had a fire station on every block and a fire occurs down the street and a fire death occurs, do we have enough fire stations? That's always a very, very difficult issue to answer.

Michelle Madoff:

The question was raised repeatedly that the closing of the Penn-Lang Station was responsible for deaths. Your response is that you have a tape that says that a fire truck was there within two minutes.

Chf. Dickinson:

Engine No. 17 and Truck No. 17 were on the scene.

Michelle Madoff:

I guess when I look at the -- and I repeatedly hear about \$4 million overruns on Grant Street, I would not support any action in a vacuum and I think that the most productive thing we can do is that the firefighters should support it and it is to have facts. I would hate the Administration just start making changes without having substantiations so I support doing this study.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo Mr. Regan

AYES 2 NOES 5

VOTING NO:

Mr. Darkins Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Milliones (Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Cohen presented

Bill No. 1261

Report of the Committee on Engineering and Construction for August 1, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1111

A Resolution entitled, "Resolution amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and

approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by creating a cost range of \$25,000.00 to \$50,000.00 for EC 90-427, City Tow Pound."

Which was read.

Also,

Bill No. 1112

A Resolution entitled, "Resolution amending Resolution No. 865, September 26, 1985, entitled 'Providing for a Cooperation Agreement or Agreements with Carnegie Library in connection with Improvements for Handicapped Accessibility at the Main, South Side, Squirrel Hill, Lawrenceville, Woods Run, Carrick Allegheny Regional, Knoxville, Homewood and the Blind and Physically Handicapped Branch Libraries; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$98,965.00 from \$495,000.00 to \$593,965.00."

Which was read.

Also,

Bill No. 1114

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Stadium Authority for Various Accessibility Improvements at Three Rivers Stadium; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1115

A Resolution entitled, "Resolution further amending Resolution No. 189, effective March 30, 1989, as amended by Resolution No. 598, effective July 27, 1989, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Playareas, including but not limited to Alton, Boundry, Glenwood and Sheridan Courts; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$75,000.00."

Which was read.

Also,

Bill No. 1116

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for the purchase of a mobile trailer or construction of a traditional structure, to house the operations of the City Tow Pound; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 1116 which gives the Administration authorization to expend up to \$50,000 on the tow pound problem, I think all of us in Council, especially those of us who sat more recently during the budget hearings, are concerned about the condition of the tow pound, especially what employees have to put up with in that facility.

I just want to point out, and I'd like my comments brought forward, I'm going to support this legislation but I do object to a mobile trailer being purchased. I think they need to build a structure. I don't even know that they need to necessarily go out on bid. Public Works is certainly capable of building a multi-story

building, a very fine building, and I think there might be construction resources in house.

But I would urge the Administration not to put a trailer which would not even be allowed zoning wise, would not be allowed by any other party and I don't think we should do something that we wouldn't allow anybody else to do.

I think they should build a small structure. It should have bathroom facilities, it should be ventilated, and it should be something that the public as well as the employees at the tow pound wouldn't mind working.

So, I'm voting in favor but I hope that they look at that long and hard and build an actual structure.

(REMARKS ON FOLLOWING PAGE)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 1116, WEDNESDAY,
AUGUST 1, 1990)

Mr. Ferlo:

Director, we had lengthy discussions on this whole issue during the budget proceedings and obviously I'm in support of doing something.

My objection which I expressed then and now is a trailer. I think we need a structure and not a trailer.

Dir. Sciulli:

We can go either way.

Mr. Ferlo:

Isn't it safe to assume that at least for the next two or three years nothing is going to happen with the tow pound?

Dir. Cannon:

Actually I can't give you a time frame.

Mr. Ferlo:

I want to go on record objecting to the trailer. We don't allow anybody else to use trailers in the city and we should have a structure that's built.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 1117

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts, for Impact Attenuator Modifications on Broadway Avenue, in the 19th Ward of the City of Pittsburgh, Council District No. 4; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Milliones
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. Chairman, is it appropriate to reconsider Bill 1118 to get the majority?

Michelle Madoff:

I don't want to change my vote. I didn't vote but I'm not going to change the vote.

The Chair:

Unfortunately, it's going to have to come up next week.

Michelle Madoff:

And I won't be here.

Mr. Ferlo:

Very briefly, Mr. Chairman. I make a motion that we send a letter to the Planning Commission and/or the Planning Director and/or the Parking Authority Director, Mr. Young, regarding the infamous Shadyside Parking Garage.

It has been well over a year. I believe very strongly that we were at the point of reaching consensus in the community among the businesses with City-wide interest groups. We were at that point to finally having this issue resolved and now it's lost in the shuffle somewhere.

I think we need to communicate to the parties and ask what is the status of forwarding the recommendation regarding the construction of a modified Shadyside Parking Garage and what's the status of getting that proposal to Council.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

I have one item I'd like to bring in front

of Council. We're all aware of the unfortunate and volatile situation in the Middle East and I know we all hope and pray for a peaceful solution to that situation.

One of the most visible effects of this crisis to us in America and Pittsburgh is the amazing speed in which gasoline prices have risen. To quote the New York Times, "The speed of the price increases irritates customers who realize that the gasoline they paid for this morning was produced before the first Iraq tank crossed the Kuwait border."

Several State and Federal officials have already called for investigations into this matter contending that greed and profiteering are responsible for this swift price increases. Lieutenant Governor Mark Single and Senator John Heinz are two of those officials with Senator Heinz asking the Justice Department to investigate this situation.

We saw the same type of actions not too long ago of the oil companies when the Exxon Valdez spilled its shipment in Alaska. Gasoline prices rose at that time. I wonder if any of that oil shipment was intended for the East Coast, let alone the City of Pittsburgh.

With the approval of my colleagues, I would ask that we join Senator Heinz and Lieutenant Governor Single and others that are asking for an investigation into the practices of the oil companies and send a letter to Attorney General Thornburg voicing our disapproval and asking for an immediate investigation into this matter.

I am hoping for the support of all of you.

Mr. Ferlo seconded the motion.

Michelle Madoff:

Absolutely.

Mr. Ferlo:

I think we should start jailing some oil executives.

The Chair:

I'd just like to add that the average person thinks that the villain is the person that owns or operates the gasoline station. That's obviously not true. They're simply passing on the increased cost to us, the consumer. And I think if many cities across the country were to ask Mr. Thornburg to investigate the oil companies, I think we would find that this price increase really should not take effect for months, and it's taking effect immediately.

Mr. Ferlo:

I think it's also important to point out, Mr. President, that most of the stocks have already been purchased. There are already inventory in the tanks that are on order. I don't think they have any direct relationship to any future price increase as a result of the Middle East conflict, which makes it even more outrageous.

WHICH MOTION PREVAILED.

Mr. Milliones:

Mr. President, I have a similar motion that relates to the Savings and Loan. I would also urge that this Council adopt a resolution encouraging both our Senators Specter and Heinz as well as our own Congressman Bill Coyne to conduct an investigation or to raise this issue at the appropriate levels of government where it should be raised concerning the biggest welfare recipients we have in this country, the Savings

and Loans.

I just think that the average taxpayer is going to carry this load and I don't think we should and I think that folks just need to get upset and to begin to raise questions at the appropriate levels of government about this outrageous scandal. I just think it's going to be swept under the rug. This issue is raised and should be kept on the front burner. They need to be put in jail.

Michelle Madoff seconded the motion.

Mr. Ferlo:

I think one thing that needs to be done by Congressman Coyne and others, and there is a bill in Congress, is that they need to be able to expedite and seize property, any and all real property of individuals involved in this scandal instead of those individuals being able to circumvent that through the bankruptcy proceeding. They need a law to amend the bankruptcy act so that the Federal authorities can seize properties.

As Dr. Milliones talked about, you have some of these gentlemen, Neil Bush included, who are living in grandeur and obviously have material wealth that can be exchanged for money and the Federal Government is at a loss to go after it. They need to support the bill that's in the Congress that would allow them to do that.

Michelle Madoff:

Mr. President, on the same motion. I would wonder if my colleague would include that, I believe if you send Night Letters there's a flat rate for letters, Night Letters, to legislators, whether they're Congressmen or Senators. And if we could get the public that's listening to Council to start getting telephone calls, letters, telegrams, so that we flood them with an outcry

of this nature, I think it would be very effective. By the time our letter gets there, it's just, you know, another one of the letters.

Mr. Milliones:

I would support that.

WHICH MOTION PREVAILED.

Mr. Ferlo:

Mr. Chairman, one last thing. In order to expedite a potential vote on the revised smoking ordinance, I would like to make a motion to hold a public hearing.

The reason why I feel strongly that there should be a public hearing is that I would like to personally hear from vendors, specifically who feel that they will be impacted with on the Mayor's proposal for the tokens.

I raised an amendment which did not succeed a couple weeks ago on the original bill submitted by Michelle and that device had to do with the disabling mechanism. The Mayor's device talks about altering the machines to accept tokens.

In any event, I think it's fair and reasonable to hear from the vending community before final action on the bill. And if I'm not mistaken, that bill was introduced today --

Michelle Madoff:

It was not introduced today.

Mr. Ferlo:

The bill was introduced today and there was a motion to waive Rule 8. I would suspect that it would be appropriate to have a public hearing unless you're trying to move expedi-

tiously.

The Chair:

There's no public hearing necessary as part of the legislation

Mr. Ferlo:

I wasn't suggesting that it's necessary. I'm only suggesting that we hold a public hearing to hear concerns or testimony from the vending community as well as others who support the bill or oppose the bill.

Michelle Madoff:

Mr. President, it would seem to me that while the bill was introduced today, and I introduced it for the Administration, there's nothing that can be done on it until we get passed the August break. I'm going to be laid up. I would like to have this bill held until the Fall, until we come back into session.

We all got letters from the Administration on the veto saying that they are presently corresponding with the vending machine people and the tobacco lobby, to see whether they can get concurrence on this because I think at that point the Administration may turn around if they can't get acquiescence and come back to our position or maybe introduce even more stringent legislation.

So, having a hearing upon a hearing upon a hearing I think is non-productive. I'm not here to give a forum to the tobacco industry. I'm not opposed to anybody having a public hearing. I think it's a little early to set it before the Fall.

The Chair:

Is there a second to Mr. Ferlo's motion?

Hearing no second, the motion fails due to the lack of a second. The bill will be in Committee tomorrow.

Michelle Madoff:

I did not waive Rule 8 on it.

The Chair:

All bills were waived Rule 8.

Michelle Madoff:

I'm just asking respectfully that that bill be held until I return to Council. I will not be here. I will be in the hospital or I would make every effort to be here.

Mr. Ferlo:

Whose Committee was it introduced under?

The Chair:

Public Safety and we will determine that tomorrow. It's on the agenda for tomorrow.

Michelle Madoff:

I would ask my colleagues respectfully to please hold it until the Fall.

Mr. Millones moved to adjourn this meeting and meet again Monday, August 13, 1990 at 10:00 a.m.

Mr. Ferlo seconded the motion.

And on the motion of **Mr. Millones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Monday, August 13, 1990

No. 33

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Monday, August 13, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS	MR. REGAN
MICHELLE MADOFF	

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

The Chair:

The first resolution today pertains to the Jerry Lewis Telethon weekend which is coming up on Labor Day and, as everyone knows, Council will be recessing for two weeks so we're addressing two resolutions today that deal with the Labor Day Weekend.

I'd like to ask Candice Caruthers from WPXI to come forward, and Matt Yeager who is the Poster Child for the neuro-muscular diseases and the telethon that will be taking place over the Labor Day Weekend.

The Chair presents

No. 1275 WHEREAS, WPXI-TV/Channel 11, by telecasting the Jerry Lewis Telethon for 20 years, has assisted immeasurably in supporting the Muscular Dystrophy Association by heightening public awareness for the need to fight muscular dystrophy and other neuro-muscular diseases; and

WHEREAS, as a result of telecasting the Jerry Lewis Telethon, WPXI-TV/Channel 11 has helped provide the vital funding necessary for the Muscular Dystrophy Association's patient services program and research program; and

WHEREAS, the Muscular Dystrophy Association is extremely grateful to WPXI-TV,

and it is fitting and appropriate that City Council join the Muscular Dystrophy Association in acknowledging the outstanding contribution made by WPXI-TV in the fight against muscular dystrophy and related neuro-muscular diseases.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby pay special tribute to WPXI-TV and the Muscular Dystrophy Association, and proclaims September 2nd and 3rd, 1990 as "Jerry Lewis Telethon Weekend" in honor of their unfailing dedication to such a worthwhile humanitarian cause.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

First, I'd like to say that the Jerry Lewis Telethon, from a personal point of view, is the first telethon that I ever saw on TV and the one I recall the most. And it probably has raised more money than any other telethon in the history of telethons on TV. And it couldn't do it for a better cause.

We're honored to have with us today two people that are very much involved in that effort; Candice, representing WPXI and Matt. Matt also has his grandfather and his mother and several other friends with him here today.

I'd like Candice to say a few words, and I think Matt is going to say something also.

Ms. Caruthers:

Thank you very much. On behalf of the Muscular Dystrophy Association as well as Channel 11 and the thousands of children and

families that you help when you watch and support the MDA Telethon, I'm very happy to be here.

I'm very, very happy to receive this proclamation and to acknowledge to you that we could not do it without your support, and we've gotten your support for the last 20 years. This is the 20th year that we are doing our Muscular Dystrophy Telethon and we will continue to do so because we have the support from everyone in Greater Pittsburgh and Western Pennsylvania.

You're really making a difference when you pledge your dollars. You're saving lives. You're getting closer to the cure, and we can guarantee that spending money with the Muscular Dystrophy Association's Telethon, you're going to make a major difference.

I'd like also to turn the microphone over to our Muscular Dystrophy Child of this year, Matt Yeager, and he has a few words.

Matt Yeager:

Thank you for this recognition.

The Chair:

The next resolution pertains to Labor Day and I would like to ask the recipient of the resolution to please step forward, Mr. Paul Stackhouse, who is the President of the Allegheny County Labor Council.

While Paul is stepping forward, I'd like to introduce several people that are here with Paul today; Neil McGowan from System Council IBEW; Jim Klingensmith from the Service Employees Local; Tommy Tighe who is the Business Manager of Local 95 from the Operating Engineers; and Bill Cagney, Assistant Business Manager; Rich Becker from the Employees

Union of Office Workers; and Gail Vallar who is also with us. The Letter Carriers represented by Chester Oleniacz. From Local 85, the Port Authority Operators, we have Larry Klos, John Remark and Norm Price. From Teamsters 636, the Transportation Union, we have Pete Lackey, a good friend, John Finnery, and Jim McGuire. And finally, the Parade Chairman, a gentleman that does a whole heck of a lot of work and works year round to make sure the Labor Day Parade is one of the finest parades in the City of Pittsburgh, Mr. Pat Landy, also a personal friend. All, good morning.

The Chair presents

No. 1276 WHEREAS, the American Labor Movement began over two hundred years ago and has sought to improve the conditions for all working Americans; and

WHEREAS, American labor leaders have, throughout history, dedicated themselves to this movement; and

WHEREAS, the first Labor Day observance took place over a century ago and was established as a legal public holiday in 1894; and

WHEREAS, the United Labor Day Parade Committee intends to reinforce Pittsburgh's commitment to organized labor with a procession in the Golden Triangle under the theme, "America Works Best When We Say...Union Yes!", marking the 103rd Anniversary of Pittsburgh's first Labor Day Parade of 1887.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Paul Stackhouse, President of the Allegheny County Labor Council, the United Labor Day Parade Committee and its Chairman, Patrick Landy, as well as all labor leaders and working American laborers,

and urges the citizens of Pittsburgh to observe the United Labor Day Parade on September 3, 1990.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I'd like to also add to that, there is a Labor Day Mass on Labor Day at 8:00 a.m. at St. Benedict the Moor Church in the Hill District. The parade follows at 10:00. It is one of the finest Labor Day parades in the country. It's also one of the finest parades in the City of Pittsburgh.

Now, I'd like to introduce Paul Stackhouse, President of the Allegheny County Labor Council. And prior to Paul saying a few words, I just want to state that Paul has been the President for 29 years of the Allegheny County Labor Council and he really has been the leader of that organization which is the overseeing agency of all labor groups in the county and the area.

Paul really has been the President during some very turbulent times and it's a real tribute to Paul that he has kept lines of communication open between labor and management during probably the most difficult times that this City and this County and this region has gone through since the Great Depression.

I have always known Paul to be a communicator and a mediator and I believe it's a tribute to labor that he represents labor. He represents people in the City of Pittsburgh for the betterment, not only of labor, but also the City of Pittsburgh and Allegheny County.

So, it's an honor to have you here, Paul,

and we certainly know that you're not short on words like us politicians, and we'd like you to say a few words.

Mr. Stackhouse:

Thank you very much for the kind introduction. Certainly, appreciation is ours and truthfully stated that the Honorable Mayor and Honorable Members of Council here have been very important in the contributions they make in making our Labor Day Parade a success. It has grown. This is about the seventh year from the reincarnation of the Labor Day Parade and its through the efforts of you and your department heads that help to make it a success. Our people appreciate very much the kind support.

I want to say one thing, though. When the 200 years ago, I was not there. I was not there and I was not a waiter at the Last Supper. A busboy but not a waiter.

But I have to say that our people here appreciate it very much and there aren't enough words that describes the kind of help that you've given us. The parade has grown and we anticipate again the watch is over 50,000. It was 40,000 some last year. The parade will increase to about that and there are a lot of people.

I agree, and I have to say this nicely, we are a people's organization. Many issues that we support don't definitely relate to labor; it relates to people. We're concerned about everybody and want this to happen because tomorrow is there for our youngsters as well as anybody else's.

We want Pittsburgh to grow. We love Pittsburgh. It is growing and it's flourishing and some of the disagreements you have between yourselves, we also have. So, it's not new to us. We have disagreements but its for the benefit of our organization.

Thank you very, very much for the proclamation. Success to all of you and hopefully you will attend our parade. I'm officially inviting you to watch the parade.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1268

Report of the Committee on Finance for August 8, 1990 transmitting sundry resolutions to Council.

Bill No. 1146

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of CSX Transportation, Inc. in the amount of \$3,373.28 in payment of railroad flagging expenses incurred during the Rehabilitation of the Charles Anderson Bridge; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1147

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as 'Computerized Traffic Control System' (CTCS) for the deposit of funds and reimbursements to be used for the Installation of a Computerized Traffic - Responsive Traffic Control System."

Which was read.

Also,

Bill No. 1148

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as 'Arlington Avenue Trust Fund' for the deposit of funds and reimbursements to be used for the Reconstruction of Arlington Avenue, Phase III."

Which was read.

Also,

Bill No. 1193

A Resolution entitled, "Resolution amending Resolution No. 465 effective May 8, 1990, entitled 'Authorizing the issuance of a warrant in favor of Copy World in the amount of One Thousand Five Hundred and Ninety-Five Dollars (\$1,595) in payment for a fax machine for the Mayor's Office furnished for the benefit

of the City without previous authority of law, and providing for the payment thereof,' by increasing the authorized amount \$500 from \$1,595 to \$2,095."

Which was read.

Also,

Bill No. 1194

A Resolution entitled, "Resolution transferring the sum of Forty Thousand Dollars (\$40,000) to Code Account 1045, Index Code 104505, Equipment, Department of the Mayor, City Information Systems from Code Account 1043, Index Code 104307, Miscellaneous Supplies, Department of the Mayor, City Information Systems."

Which was read.

Also,

Bill No. 1195

A Resolution entitled, "Resolution transferring \$6,000.00 from Code Account No. 1023 (102300) Miscellaneous Services to Code Account No. 1022-1 (102210) Premium Pay."

Which was read.

Also,

Bill No. 1196

A Resolution entitled, "Resolution transferring \$2,000.00 from Code Account No. 1023, Index Code 102300, Miscellaneous Services, \$2,000.00 from Code Account 1024-9, Index Code 102490, Worker's Compensation, and \$2,000.00 from Code Account 1024-1, Index Code 102410, Equipment, totalling \$6,000.00, to Code Account 1024, Index Code 102400,

Supplies."

Which was read.

Also,

Bill No. 1197

A Resolution entitled, "Resolution transferring the sum of \$5,000.00 from Code Account 30 Refunds - all other taxes, Index Code 0030004 to Code Account 50 Refunds - Sewage Charges, Index Code 005009, Department of Finance."

Which was read.

Also,

Bill No. 1198

A Resolution entitled, "Resolution amending and supplementing Resolution No. 1059 of 1989, effective January 1, 1990 as amended by Resolution 200 of 1990, effective March 20, 1990 as amended by Resolution No. 552 of 1990, effective June 5, 1990 entitled: Making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof of the fiscal year beginning January 1, 1990 by making certain additions and corrections."

Which was read.

Also,

Bill No. 1199

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a laboratory or laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees, candidates for

employment and promotion and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 1200

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for professional services in connection with the validation, administration, preparation, evaluation and research of Civil Service entrance and promotional examinations; and providing for payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1201

A Resolution entitled, "Resolution providing for an agreement or agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Firefighter candidates, School Crossing Guards, Paramedics, other employees and candidates for employment and promotion; and providing for payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1202

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Ford's

Flowers, in the amount of Seven Thousand One Hundred Seventy Seven Dollars and Twenty Five Cents (\$7,177.25), in payment for the purchase of various plants and plant material, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1203

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of United McGill Corporation in the amount of \$4,725.00 in payment for the purchase of boat docks for South Side Riverfront Park furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1204

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Joan Baker Designs, in the amount of Nine Hundred Seventy Two Dollars (\$972.00), in payment for the purchase of concession merchandise, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1205

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Frank J.

Zamboni and Company, Inc. in the amount of Five Thousand Nine Hundred Seventy-Three Dollars and Seventy-Four Cents (\$5,973.74) in payment for parts for the repair of Zamboni Ice Machines furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1206

A Resolution entitled, "Resolution transferring the aggregate amount of \$150,000.00 from various code accounts to Code Account 1809-9 (180893), Worker's Compensation in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1210

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI Corporation, Fifth Avenue Place, Suite 2660, Pittsburgh, PA 15222, in the amount of \$2,023.39 for computer equipment in the City Clerk's Office, payable from Code Account 1006, Equipment, City Clerk's Office, Index Code 100602." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1238

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$2,000.00 in payment for professional consulting services rendered to Jake Millions from May to September, 1990."
—(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 1239

A Resolution entitled, "Resolution providing for the issuance of a \$851.82 warrant in favor of Lynne E. Harr in settlement of claim for vehicle damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1240

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,000.00 payable to Pamela Green, c/o Glenn D. Dolfi, Esquire, 4762 Liberty Avenue, Pittsburgh, PA 15224, in full settlement of personal injuries sustained in a motor vehicle accident on December 9, 1987."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	Mr. Wagner
Mr. Millions	(Pres't)

AYES 5

NOES 1

(MR. FERLO VOTING NO)

And there not being two-thirds of the votes of Council in the affirmative, the bill was tabled.

Also,

Bill No. 1241

A Resolution entitled, "Resolution providing for the issuance of a \$2251.00 warrant in favor of Paul L. and Geraldine Neidhardt in settlement of claim for sewer line repairs."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1243

A Resolution entitled, "Resolution transferring the amount of \$1,500.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation." --(SPONSORED BY MR. MILLIONES)

Which was read.

Mr. Milliones:

I move to hold Bill No. 1243 until the next Legislative Meeting.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1244

A Resolution entitled, "Resolution further amending Resolution No. 894 of 1989 as amended by Council Bill No. 1090, Resolution No. __ passed in Council July 24, 1990 entitled 'Providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of Grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and

programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds in to a bank account' by increasing the amount available for subcontractor agreements by \$35,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1246

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of County of Allegheny, 101 Court House, Pittsburgh, PA 15219 to the attention of Regina DaVia, Chief Clerk's Office, in the amount of \$12,427.73 for the purchase of a surveillance van, radios and accessories that the County paid, for the City's use in the Countywide Drug Enforcement Project for the benefit of the City, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1247

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional consulting services rendered to Eugene Ricciardi for the month of August, 1990."
---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also, with a **NEGATIVE** recommendation,

Bill No. 1231

A Resolution entitled, "Resolution transferring the amount of \$1,100.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation." ---**(SPONSORED BY MR. DARKINS)**

Which was read.

Mr. Cohen:

I'd like my remarks on Bill No. 1231 brought forward.

Mr. Coyne:

I'd like my remarks on Bill No. 1231 brought forward.

The Chair:

I'd like my remarks on Bill No. 1231 brought forward.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 1231-Wednesday, 8/8/90)

Mr. Cohen:

I appreciate Michelle's support. I would like to take a moment to explain what is going on here for everybody who is listening.

People who are listening out there, put down your newspapers and come close to the television set, because I am going to explain what is going on here.

You remember probably that famous, now infamous, \$45,000.00? It keeps coming back. It was set aside by last year's Council for district offices, and when that failed because of overwhelming public opposition, this Council voted to transfer it and split it up so that each Council person gets \$5,000.00 for projects in his or her district. I opposed that, Councilman Coyne opposed that, and for good reasons. With the current budget crunch, we didn't need to spend it, and we don't have to spend it. If there is a pot of money there, it doesn't mean we necessarily have to spend it. We don't have to spend this.

Also, there was no accountability for it. Each Council person, under an arrangement by this Council, could spend it anyway he or she wanted, and in fact, \$5,000.00 was spent for a police athletic association.

Okay, we lost, Councilman Coyne and I lost that, but said that our \$10,000.00 should be return to the city, to the general fund.

Now, what is happening here is that Councilman Darkins wants to take this wastefulness a step further. \$5,000.00 apparently wasn't enough, now he want to take that money that Councilman Coyne and I insisted be return to the city and wants to spend it on another pet project. I don't think he should be allowed to succeed, and I encourage my colleagues to vote against this, because the fact is, this is not his money, this belongs to the people of Pittsburgh. As far as I am concerned, it is an insult to those people to have this bill before us, and it is a funding grab for a pet project, and I encourage my colleagues to vote against it.

The Chair:

Is not Homewood/Brushton part of the city, Mr. Cohen?

Mr. Cohen:

Mr. Chair, I would like to answer that question. This is not a question of Homewood/Brushton versus Squirrel Hill, Shadyside, or any of the neighborhoods in Pittsburgh, it is a question of who this money belongs to. It doesn't belong to the people of Homewood or to the people of Squirrel Hill; it belongs to all the people.

(DELETED TEXT.)

(CONTINUED COMMENTS OF MR. COHEN ON BILL NO. 1231, WEDNESDAY,
AUGUST 8, 1990)

Mr. Cohen:

I'd like to close this discussion on a cooperative note and a cooperative note that was struck by the Council President.

There's no question that I want to take a moment to respond though to his mention of my name. There's no question and I haven't kept it hidden at all that I originally supported district offices. I voted to uphold the Mayor's veto of district offices because we heard from the public in the loudest possible terms when she asked for people to call in about that, they were overwhelming, it was 1,000 to 1 and I think that we had at that point an obligation to respect the will of the people of Pittsburgh on that. They obviously didn't want that \$45,000.00 to be spent and that's why I voted as I did.

No question that some of the money that has been spent or has proposed to be spent are on worthy projects.

Councilman Wagner, your money that's going to be spent on the airport transit corridor, I think that's an extremely worthy project, I really do. I think we both agree that that's one of the most important issues facing the City is how we're going to increase transit between here and the airport given the expansion of the new airport. But I and Councilman Coyne respected the legislative process and we realized that after we voted against that, that we lost that vote and therefore abstained on every single one of these that came up. This crosses the line. It's a new deal, it's a new game. The \$5,000.00 piece was fine and we abstained on that; this goes beyond that. This is grasping and it's not right and we should all vote against it so I'd like to call the question.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOGRAPHIC REPORTER

(MR. COYNE'S COMMENTS ON BILL NO. 1231-Wednesday, 8/8/90)

Mr. Coyne:

Mr. Chairman, thank you. I am not going to question who the money belongs to, because I think we would agree that it belongs to every group and all the different neighborhoods of the city. However, my concern is Councilman Cohen and myself both expressed our opposition to the spending of the \$45,000.00 a couple months ago. During these past couple months, bills have come to this table of which Councilmembers have chosen to use their \$5,000.00 for various projects. Councilman Cohen and myself, rather than cause a fight or debate at every issuance of a new bill, decided to abstain on each bill, therefore not giving our approval to the spending of those funds. I think that has been done with a sense of fair play on our part in saying that we didn't agree with the decision by a majority of Council to spend the 45, however if a Councilmember chooses to spend that \$5,000.00 in their district, that is totally their prerogative.

I think what is happening here is that the bounds are being crossed over. I think that Councilman Darkins is taking it upon himself to try to increase his share of what was never written down, but which was understood by other Councilmembers as being excess money. I don't think it is a fair thing to do. I think Councilman Cohen and I lost the vote initially, we have realized that and we have abstained on the other votes. We haven't tried to move this money to put it back in any other funds, we left it there with the understanding that our colleagues would be fair and take their appropriate share. I think what is happening here is regardless of the validity of the cause or not, is that a Councilmember is stepping beyond the bounds and spending more than their allotted share. I don't think it is something this Council should permit.

(DELETED TEXT.)

Mr. Coyne:

Thank you, Mr. Chairman. I would just like to say I agree with the statements made by Councilman Wagner earlier, that Council does need to work in a cooperative effort, and I agree with what Councilman Regan is saying, but when he talks about silver spoons being in people's mouth, I am not really sure --

Mr. Regan:

I didn't say that.

Mr. Coyne:

Well, it was stated by someone, and if it was referred to me, I would like to invite you anytime to see Hazelwood, the

district I grew up in, that could show you just as many hard luck stories as any other community in this city.

The point of this is Council needs to work cooperatively. Councilman Cohen and I have been attempting to do that all year. We lost the initial vote. When the votes have been coming up to spend this money, we have not given any problem with it; we have abstained. I think when you ask for cooperation, you can't ask for anything else, or when every one of these bills came up, we could have discussed it like this, we could have, and each and every one of you know that. We have been cooperating because we feel that in the sense of good government, we need to move smoothly. We lost the initial vote. However, now this is going beyond what was understanding of Council initially agreed to.

Now, each and every one of you know that for cooperation for smooth running government, we don't need verbosity here at Council, we don't need grandstanding; we need people to make a vote and let it go at that. Up to now, we have done with that our abstentions. This is crossing the bounds, and I cannot see this being acceptable.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

(MR. FERLO'S COMMENTS ON BILL NO. 1231-Wednesday, 8/8/90)

Mr. Ferlo:

I am up for re-election next year along with my two colleagues, Mr. Regan and Mr. Darkins. I would like nothing better than to walk through the neighborhoods that I represent playing Santa Clause, being able to hand out \$1,000.00 here, \$1,500.00 here for sports team for this activity, for whatever great neighborhood based activity, of which there are many. The requests are infinite, the justification and need for funds are infinite; there are hundreds of organizations, nonprofit based groups, community based organizations, that have very worthwhile activities, worked very hard, and oftentimes are not able to receive consideration from this Council. That is unfortunate.

This Council each year through the budget process and grants and donations gives out over \$500,000.00, over half a million dollars, and we go through a fairly elaborate process, where a group formally applies, we have a budget deliberation and people can respond.

Let's remove the politics and the rhetoric here, in all due respect to my colleague from the North Side, Mr. Regan, because I am sick and tired of Councilmembers coming to this table and saying, "This neighborhood hasn't gotten this and this neighborhood for many years has been taken care of." If we add up the facts and the figures -- and I would be glad to supply an adding machine -- if you look at the history of spending in this city for the last decade of both community development block grant monies, capital dollars, as well as operating dollars, more money has been spent in Homewood/Brushton, East Liberty, the North Side than any other neighborhoods city-wide. So let's remove all that propeganda. If anybody wants those figures, I will gladly take the adding machine and add them up between now and Tuesday.

Secondly, we are opening up a situation here which we cannot respond to. I voted in favor of the \$1,500.00 this past week for the Uptown little league, because I also voted consistently in December for that group who came here, and I lost the vote at the Council table during the budget proceeding. Here was an organization that was struggling, they made a very significant point that they did not have enough of a business community to do good fund raising, and they went through the process, and in December I voted to fund them. My vote didn't succeed, and they were not included in this budget. When Dr. Milliones brought this issue up again as part of the \$5,000.00, I gladly supported it. This situation is quite to the contrary. And secondly, there are at least 45 sports related organizations in my Council District, 7. I am in no position and I would not prevail upon city government to be able to supply funds for every one of those organizations who is badly in need of additional monies to pay judges, to pay coaches and judges, and buy materials, referees and what not. I don't think that should be an expense of city government.

What is happening in the Parks Department, if we listen to Director Turner and others, given the recent debacle with the Kennard Pool is that we are trying to get a situation where people adopt a park, where neighborhood based groups give more of themselves and raise resources within the community. If there is anywhere where resources can and should be raised, it is for the funding of little league and sports franchises. Would I like to have the situation different than that? Obviously. I would like to be able to fund every one of the sports teams in every one of the neighborhoods that I represent. City-wide, there are probably 300 or 400 little league and sports team organizations city-wide. We are not in a position, city government, to fund each one of those groups, it be \$500.00, \$1,500.00 or \$5,000.00. This is sheer folly. It should be voted down.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. WAGNER'S COMMENTS ON BILL NO. 1231-Wednesday, 8/8/90)

Mr. Wagner:

I would like to comment. There has been a lot of rhetoric here at the table, and I think a lot of politicking is going on and in-fighting here within Council on this issue. If anyone is going to be blamed for it, let it be me. And unfortunately, I hate to see it, because it brings back some memories of previous Councils, when in-fighting went on.

I will state as I have stated previously, \$45,000.00 was put into a piece of legislation because the majority of my colleagues, primarily you, Mr. Cohen, came to me privately and asked me to do that for district offices. I was not in favor of it, I did it because it was the will of this Council at the time, and the issue never survived in a legislative vote. Consequently, it was the will of the majority of this Council to utilize the dollars for something else, and I supported that, trying to act in a cooperative spirit within this body. In doing so, I have felt -- and I have defended it publicly to the media and to others -- that this Council will determine individually and collectively that those \$45,000.00 will be well-spent. And I have said all along, and believe me, I know the budget process as well as anyone here, 98 percent of this budget is determined by the Mayor's office traditionally each an every year, and Council may add \$1 million or 2 or 3 to the budget at budget time, but Council really cooperates to a great degree with the Administration and then puts in minor projects for their respective areas, districts or city-wide.

Now, in regard to this \$45,000.00, I have heard Mr. Cohen and Mr. Coyne talk repeatedly that there is no accountability and it is wastefulness. It is not. It has never been. If a colleague here wants to fund a particular athletic organization, as Mr. Coyne, you have done repeatedly with various bills since you have been on this Council, I can't say that about Mr. Cohen, but you may not have the athletic organizations within your area, but there certainly are needs for traffic studies and parking studies that don't exist in Homewood/Brushton, problems that exist in certain areas of this city that only the Councilmember from that respective district can appropriately analyze. And really, when it comes down to accountability within this Council, what it comes down to is who can put five votes on this table for a particular piece of legislation. That is the real world of government, that is the real world of this legislative body, it is the real world of politics. You may not like it sometimes that you can't get five votes to put the money where you want to put it, but it still comes down to working in a cooperative spirit with your colleagues in the best interest of your constituents. That is really what government is all about. People can talk about what that means and how it is accomplished, but personally it is what I represent, and I think it is good government if I can work with the majority of this body to serve my constituents and your constituents.

So we can gripe as much as we want about the monies in this particular bill or the one I have coming up, which is \$2,000.00 for the airport area transit corridor study, and it is coming from the same 45,000 -- if anyone wants to vote against it, go head -- but it is money well-spent. If you want to vote against Mr. Milliones' bill coming up, vote against that, also. It relates to an athletic organization in the Hill District.

Sometimes that money is as well-spent as several hundred thousand dollars for a bridge in a community or whatever, because it shows those communities that we care about them. It may be the only time that they really feel that this government reaches out to them, and I would ask each and every Council member in regard to this issue -- and there is no magical \$5,000.00; I have said that right from the start. It is whomever can get five votes for whatever they want to do if this Council, whether it is Westgate, whether it is property tax reduction, whether it is Mr. Ferlo with the Housing Authority or various other bills. It is would can get five votes for their constituents. There is a whole lot of chemistry involved to accomplish that, and it first exists within a cooperative spirit within this government and working with each other in the best interests of our constituents. There is accountability at this table, or all nine of us wouldn't be sitting here. So that accountability relates to legislation, and I would simply ask that we do not get petty when we talk about those individual pieces of legislation; it is really not worth it. We are here to serve our constituents.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Wagner
(Pres't)

AYES 1 NOES 5

VOTING NO:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Ricciardi
Mr. Ferlo

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with a **NEGATIVE** recommendation,

Bill No. 1248

A Resolution entitled, "Resolution transferring the amount of \$55,000.00 from Code Account 1063 (106302) Miscellaneous Services, Department of Finance, to the Property Tax Reduction Trust Fund (PTRTF)."

Which was read.

Mr. Ricciardi:

Mr. President, I will be very brief on Bill No. 1248 since we did discuss the bill in depth at the Wednesday Committee Meeting.

This bill before us would transfer \$55,000 of surplus funds from the Department of Finance to the Property Tax Reduction Trust Fund. When I first sponsored the trust fund, it was my hope that we could begin to look at ways that we could roll back the recent property tax increase in the City of Pittsburgh and that we could use this trust fund as a way to save money, as a way to discipline ourselves.

Upon some research, I found that there was \$225,000 of surplus funds from the Department of Finance in the Banking Services Account, money that was not used for that purpose. \$170,000 of that money was transferred to the Department of Public Works leaving a surplus of \$55,000.

So, it was my hope and feeling that before the Administration found a way to spend that money, that we could transfer that into a trust fund.

Just to touch upon two of the concerns of Council is, number one, that one colleague mentioned that it would only be a one time tax reduction. Well, I'm sure the taxpayers throughout the City of Pittsburgh, throughout all of our districts, would even welcome a one time roll back.

Also, number two, one of my colleagues was concerned that we had to plan for a surplus. Well, during the planning stages of the budget, a surplus is planned for.

So, in that, I will leave it as it may. I do believe that it is our responsibility to look through the budget to see where there are surplus funds and to start disciplining ourselves and the Administration and the department directors to save monies, not to spend, and hopefully talk about reducing the property tax and not so much talk about reducing the amusement tax. So, I thank my colleagues.

Mr. Ferlo:

Mr. Chairman, on this issue. I once referred to the creation of the Property Tax Trust Fund as a placebo and not a tax policy. We could put a million dollars or we could put all of the unexpended fund balance of the City budget this year into that trust fund and it has nothing to do with lowering property taxes. There's only one way to lower property taxes and that's to lower property taxes, to change the millage that creates the line items that brings us in the revenue for property lands and buildings taxes. The only way to do that is to vote on it and go through the budget proceedings of November and December.

Mr. Cohen:

Mr. President, I want to commend Councilman Ricciardi for the worthy goal that is involved in this bill, but I have to agree that I think that putting this money away like this will tie the Finance Director's hands. I think we all want to reduce property taxes; I want to reduce property taxes, but we need to do it, I think, through the proper process and that means at the budget hearings when we can really take an overview of the whole tax structure and decide then whether we have the ability to lower property taxes. I really hope that we do, but I don't think that this is the way to do it.

The Chair:

I'd just like to add, on several of these bills where there are negative recommendations, it may be in the best interest of Council to table or hold the bills. I personally think Bill No. 1231, sponsored by Mr. Darkins who is not with us, Mr. Regan isn't with us and Councilwoman Madoff is not with us, I would prefer to see tabled as of today rather than us even voting on it.

Mr. Ricciardi, the other bill you may even want to hold. It's just a recommendation, but it's up to the sponsor.

Mr. Ferlo:

Mr. Chairman, the only benefit of tabling any of these bills is to re-initiate the hot and heavy debate that we had on Mr. Darkins' expenditure of the \$1,100 and also this property tax trust fund. I'm happy to debate and rekindle the spirit of a week ago, but I don't see any benefit or purpose of that.

The Chair:

It always takes five votes to untable.

Mr. Ferlo:

Right, and I'd like my remarks brought forward on this bill.

(REMARKS ON FOLLOWING PAGE)

(MR. FERLO'S COMMENTS ON BILL NO. 1248-Wednesday, 8/8/90)

Mr. Ferlo:

Mr. Chairman, there are no surplus funds. The budget is a working blueprint for city government and mostly the city Administration and Mayor. There are any number of code accounts and subcode accounts that have various dollar figures listed, and we know for a fact that city budget is not a perfect science, that the Administration from time to time has to rob Peter to pay Paul to make various expenditures, go on to the operation of city government.

The senior citizens trust fund -- and I said this before -- the Property Tax Reduction Trust Funds, we can put all the money in that fund that we want by raiding various code accounts, whether there are real surpluses or not, and it has nothing to do with lowering property taxes. If we want to lower property taxes or change the mix of taxes, there is only one way to do that, and that is during the budget deliberations and changing annual taxes and millage on various lands and buildings and collection of fees, et cetera. That is the only way to do that. Robbing the various code accounts throughout the year is not the way to do that. In the end, we actually have a fund balance if we do not expend dollars from various code accounts, and that represents that healthy cushion each year -- hopefully it will be healthy, this year it will be less healthy -- fund balance that represents a carry over that we need to balance the 1991 budget. We should not be raiding code accounts.

(DELETED TEXT.)

Mr. Ferlo:

This is very misleading not only to the public, but to the process. We could take all of the unexpended fund balances for city government at the end of the year, which are, maybe, 7, 8, 9, 10 million and put it into this property tax reduction trust fund, and it has nothing to do with lowering the property taxes.

We have to make a hard decision. This Council made a difficult decision last year during the budget proceedings and we concurred with Mayor Masloff and the Administration that we felt it was appropriate to change the mix of taxes. That was an action that we took after deliberations, reviewing the testimony, hearing from the Administration. It was part of an overall process and a plan. We can't just create a trust fund, raid various code accounts through the year, or even as Mr. Wagner says, put \$1 million dollar into it; it has nothing to do with lowering property tax.

If we want to lower property tax, then we have to vote on that and change the tax millage at the end of the year. That is the only way to do that. To do anything else is very misleading to the public and is a placebo to the public and very unfair.
(END OF REMARKS) (Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ricciardi

AYES 1

NOES 5

VOTING NO:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 1250

A Resolution entitled, "Resolution transferring the amount of \$2,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning." ---**(SPONSORED BY MR. WAGNER)**

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo
Mr. Milliones

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 4

NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And the majority of the votes of Council not being in the affirmative, the bill was tabled.

Mr. Darkins presented

Bill No. 1269

Report of the Committee on Public Works for August 8, 1990 transmitting one ordinance to Council.

Bill No. 1087

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof." **(AS AMENDED IN COMMITTEE)**

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on this bill.

Mr. Cohen:

I'd also like my comments brought forward.

The Chair:

I would also like my remarks brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. FERLO'S COMMENTS ON BILL NO. 1087, WEDNESDAY, AUGUST 8, 1990)

Mr. Ferlo:

Discussion.

We have had lengthy discussions at the public hearing and it's not my intent to rehash the positives nor the negatives of this plan, certainly the Administration is free to discuss any issues they would like to present by way of information to this Council. I don't know if they wanted to make a formal presentation.

I do have some specific amendments which I would like to offer. Needless to say I'm displeased overall with the plan, I'm displeased with the working document that was presented to Council in terms of the so called HDR study because I don't think the right questions were appropriately asked as requested by Council and the correct answers were not drawn from those introductory questions. Having said that, it seems as though we need to move full speed ahead with the proposal that's on the table for the so called implementation of curbside one-bag method of collection of the recyclables and I think the Ordinance is well written and I think it's succinct and I think it addresses all the myriad of concerns including the method by which the Administration wants to move ahead to implement their plan.

Having reviewed the Ordinance which was presented to us only a few short days ago and I believe yesterday, a re-write of the Ordinance was presented, I would like to make the following amendments.

I distributed to Council a re-typed version verbatim of the substitute bill that was presented by Ms. Rizzuto so the working document that I'm referring to and the amendment I would like to make is amending the final substitute bill that was presented and as a point of order, I don't know how you want to deal with this. We just made a motion to approve the bill. The real motion should have been move to amend by substitution because technically we're still discussing the old bill and the Administration re-wrote the bill or made addendums. I assume we're talking now about the substitute bill. I'd like to make a motion that we accept the substitute bill by the Administration.

Michelle Madoff:

Second.

The Chair:-

We're dealing with the Administration substituting the bill.

Mr. Ferlo:

Can we just vote on that and then we can discuss amendments and the substitute bill.

In other words, the bill introduced originally by the Administration is not the bill that they would like to have voted on at the table today. My motion is to accept by substitution the final bill proposed by the Administration.

The Chair:

Those in favor of the motion indicate by saying aye? Opposed? The ayes have it.

Mr. Ferlo:

On the substitute bill, the document that I have distributed to Council in terms of proposed amendments is before you and the document that you have before you that was submitted is a rewrite of the substitute bill, so I'd like to make a formal motion that on 619.10 -- Administration and Enforcement, that we amend the legislation and I'm going to read -- first of all, this is very difficult to do because we had a bill and at the last minute yesterday we had re-write of the bill so my staff re-wrote the bill based on the substitute bill so I'm amending the substitute bill, so the document you have before you is the document from my office which is entitled, "Amendments to Bill No. 1087". So I'm referring to that document for the purposes of making it clear to everyone.

So my motion is, on 619.10, Administration Enforcement, I would like to modify the original substitute section of the bill proposed by the Administration as underlined. Basically, my amendment is to add the words "review and comment". The period for public review and comment should be 45 days and shall commence upon publication of a general summary of the proposed rules and regulations in a newspaper circulating generally within the City. The Director of the Department of Environmental Services shall hold at least one public hearing during the comment. Following the comment, the Department of Environmental Services shall make final rules and regulations available for public inspection accompanied by documented written responses to comments made during the comment.

What's being proposed here is does not alter substantively what the Administration's plan is. The purpose of this is to try

to again provide some public comment and review on the actual regulations that will be promulgated by the various directors.

In approving the final bill today, the substitute bill, we are not actually adopting regulations. We're basically empowering the Department of Environmental Services, the Director of Public Works and the Recycling Coordinator to go back and promulgate regulations. At the last minute I believe yesterday they did send over a copy of the proposed regulations. But at any given time the Administration's prerogative is to alter and change those regulations. That's all this does and this is based on other ordinances that have been adopted statewide in Philadelphia, in Reading, in Wilkes Barre and is referenced in the State Act 101 is enabling the public themselves to have some review process for the proposed regulations that will actually be promulgated by the various department directors and that's the intent of this motion. I'd like to so move. I'd like to make a motion to amend 619.10 as I've just read.

Mr. Cohen:

Second.

Mr. Ferlo:

I'd like to know from the Administration if they see a problem -- is there some problem with the amendment regarding some type of review process with the public?

Mr. Turner:

Yes. First of all we received this article this morning at 9 o'clock, an hour before the hearing.

Mr. Ferlo: Let's be clear, Director. If anybody is at fault for not giving any information to this Council it's the Administration --

Mr. Turner:

-- I'm not going to accept that.

Mr. Ferlo:

-- and sends over a substitute bill yesterday and only gives us the regulations late last night. Let's be real here. Don't put any blame on this Council.

Mr. Turner:

I'm not blaming this Council.

Mr. Ferlo:

Fine. But change your attitude. It's every elected official's prerogative to nitpick on this ordinance.

The Chair:

Mr. Turner, would you answer the question? Does the Administration have a problem with this amendment?

Mr. Turner:

Yes, we have a problem. One, we haven't seen it long enough to be able to fairly evaluate it. Two, the current -- the proposed ordinance requires that rules and regulations shall be effective upon publication of a general summary of their content and the newspaper circulating generally within the City, etc., etc.

Three, the concept of requiring a televised public hearing I don't think is going to add to the process, I think it's just going to continue the confusion. I don't believe that the intent here is to improve the system, I think the intent is to slow it down and to substitute a new system. Yes, we have a problem with it.

Mr. Ferlo:

Thank you, Director. In response, first of all let's be clear. We just received this ordinance, the substitute ordinance. It's perfectly within our prerogative to read this at the last minute and suggest corrections or additions.

I sent over in the time that I was available a copy to Maribeth Salley-Rizzuto this morning a copy of the proposed amendments to at least give you one hour which is basically all that you afforded us to review the substitute amendment and to actually review the regulations. So let's be clear there in terms of your intonation here that somehow I'm curtailing or at the last minute sticking something in here that you haven't had time to review. Nobody has had time to review this so let's be fair there.

In terms of the issue, this does not slow down anything. I mean, the Director is indicating --

Mr. Turner:

-- it does slow it down.

Mr. Ferlo:

-- that you are going to promulgate regulations and that you're going to make them public. As far as a televised public hearing that basically keeping in line with any number of public hearings that go on in these chambers. As far as the review period, this would allow within the time period that we have to finally act on this, it's perfectly justifiable and it's not problemsome or cumbersome in terms of having a public review period and commentary on proposed regulations that would guide the department in the future.

Mr. Turner:

May I respond?

Mr. Ferlo:

It may not have happened in the past but this is a fundamental change and people's habit citywide. We're talking about a whole different kind of atmosphere that the recycling initiative has to take place in the future.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

(MR. FERLO'S CONTINUED COMMENTS ON BILL NO. 1087-8/8/90)

Mr. Ferlo:

One brief comment. The Administration, the only public participation in this whole process for the last year and a half has been a very narrow based advisory committee, which was forced on the Administration, which they finally accepted.

Michelle, for your benefit, that advisory committee is very narrow based. The public at large has never had any opportunity, and the only forums that the public has had an opportunity to express themselves have been forums which City Council has created for discussion and review.

In approving the document today, we are giving carte blanche approval by the various directors to promulgate regulations. I think it is very fair and reasonable. It is not delaying at all, in terms of this review process, for the public to be able to review and to respond to the regulations that will actually be written by the various department directors.

Don't confuse public participation with seven people on some advisory board who never meet, who barely meet.

(DELETED TEXT.)

Mr. Ferlo:

Mr. Chairman, just a point. Obviously, I am in support of this, but it does point out the basic fallacy; that the public has no review and no comment available to them on the regulations. Mr. Cohen, to his credit, has extracted one specific issue out of the proposed regulations, none of which can be reviewed by the public, and secondly, can be altered in the future by the Administration at their will without any review process by Council. So I thank Mr. Cohen for at least extracting one of the issues out of the proposed regulations.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. COHEN'S COMMENTS ON BILL NO. 1087-Wednesday, 8/8/90)

Mr. Cohen:

Maribeth, is the Solid Waste Advisory Committee, are their meetings advertised?

Ms. Rizzuto:

Yes. There have been notices, I believe, sent through Al Neri's office to the media, I have seen it in the newspaper. City Council also received notices that the Solid Waste Advisory Committee meets on the last Monday of every month.

Mr. Cohen:

Are they advertising in general circulations that the public at large would know about it through your office?

Ms. Rizzuto:

Most of the media has pick it up and carried it.
Mr. Cohen:

I am not asking whether the media has picked it up, I am just asking --

Ms. Rizzuto:

Do we have a formal legal notice put in the paper? No.

Mr. Cohen:

Okay. Thank you.

(DELETED TEXT.)

Mr. Cohen:

I want to commend both of you. I think Jim Turner, Maribeth Rizzuto, everybody associated with this has done an excellent job. I see the one bag plan as being a first step. We have discussed this. And the reason that I would like to see a pilot project, street pilot project, is that I think we have to continue moving in an environmental direction and one that is most environmentally sound. I know that, Mr. Turner, you and I have some differences on what is the most environmentally sound, but I don't see any problem with having a pilot project in an area that is not encompassed by the first step of the single bag program and to look at it, see whether it makes sense, and maybe that can be the second step as Pittsburgh continues along a progressive environmental path.

(DELETED TEXT.)

Mr. Cohen:

I would like to say that I think overall the ordinance and the plan is a good one. I want to state that. I think we should get it up as soon as possible, and I agree with that. So let's move from there.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. WAGNER'S COMMENTS ON BILL NO. 1087-Wednesday, 8/8/90)

Mr. Wagner:

I want to compliment all of you on all your efforts in recycling. I think what we all forget sometimes, including myself, is that this is simply a starting point to a long road that will never end on recycling. It is the first time ever in the City of Pittsburgh. I think all of you have approached it in a very prudent fashion, which is not only addressing the concerns of the environment, but also the cost of doing it, and at the same time utilizing a test period with various sections of the city to determine how well it works and whether or not it has to be modified prior to doing it all city-wide.

Finally, I would just like to add, and I mentioned it at the public hearing, I really think the flaw, if there is any flaw in the state law that we need to proceed with from a city point of view, is to approach this in a big picture fashion. If there is ever an issue for a piecemeal approach to metropolitan government, it is this issue; to recyclable items from a regional point of view, getting a higher value for them, getting greater participation from all municipalities, and I really would like to see the whole region proceed in that fashion at a later point. I really think as we proceed to meet the mandate of the law, all municipalities are going to find out that by doing it individually, it is more costly, and consequently, hopefully changes will be made in the future with Pittsburgh taking a leadership role to make it a regional effort rather than a municipal effort.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Mr. Cohen:

I have a brief comment this morning. I'm voting for this bill, the recycling bill. I do have some reservations about it. I would have liked to have seen this Council vote for a source separation pilot project. I can understand that Council is not ready to take that step. I would hope that sometime in the future we would be able to take the step of at least reviewing and seeing whether source separation is worthwhile, whether it is cost-efficient, and whether the City could do it because I think that it would certainly make the citizens more environmentally conscious of the real need to reduce overall waste.

I also would like to see the City commit itself to purchasing recycled materials. Here we are today asking all the citizens of the City of Pittsburgh to recycle, to separate their recyclables from their non-recyclables. I think that what the City has to do at the same time is commit itself to purchasing recycled materials and I was glad to see that at Wednesday's meeting the Administration, Jim Turner and Mary Beth Rizzuto committed to working with me to see that that be done, that we come up with the appropriate legislation for that.

The reason I'm voting for it, though, is that overall I think the bill is strong and most importantly I think we need to move ahead and start recycling.

Because of the number of Councilmembers absent today, two negative votes would hold this project up and I don't intend to do that. I think we absolutely need to move forward and I would like to see the City recycling as soon as possible.

The Chair:

As I said, I think it's an excellent bill. I think it's a good starting point on a long road for-

ever towards recycling.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1270

Report of the Committee on Planning, Housing and Development for August 8, 1990 transmitting one ordinance and sundry resolutions to Council.

Bill No. 1170

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article IX - Boards, Commissions and Authorities, Chapter 174 - Vacant Property Review Committee, Section 174.02 - Composition, by changing the composition of the Vacant Property Review Committee."

Which was read.

Also,

Bill No. 1171

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the following Community Based Organization for community and economic development planning assistance; Lawrenceville Citizens Council, Inc., Lawrenceville Development Corporation, and the Pittsburgh Partnership for Neighborhood Development, at a cost not to exceed \$68,328.56."

Which was read.

Also,

Bill No. 1172

A Resolution entitled, "Resolution authorizing the Mayor, and the Director of Engineering and Construction to enter into an Agreement or Agreements with Pennsylvania Department of Transportation and the U.S. Federal Highway Administration for the receipt and use of funds for the construction of stadium; pedestrian ramps improvements, and directing the creation of a special trust account for the project."

Which was read.

Also,

Bill No. 1173

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Commonwealth Department of Community Affairs for the receipt and use of funds for the design and construction of stadium pedestrian ramps improvements."

Which was read.

Also,

Bill No. 1174

A Resolution entitled, "Resolution amending Resolution No. 893-89 authorizing the Mayor and the Director of City Planning to enter into Agreements for the design, engineering, and other professional services associated with the Stadium Pedestrian Ramps project, by increasing the total project cost from \$350,000 to \$2,250,000,000; by increasing the design cost of the project to \$600,000; and by authorizing an Agreement with the Stadium Authority for the construction of the project."

Which was read.

Also,

Bill No. 1175

A Resolution entitled, "Resolution Repealing Resolution No. 116, effective March 8, 1988, entitled, 'Amending Ordinance No. 31 of 1978, effective November 24, 1978, entitled 'Declaring the need for a Vacant Property Review Committee to function within the City of Pittsburgh and creating the same pursuant to the authority of the Urban Redevelopment Law, Act of May 25, 1945, P.L. 991, as amended' is amended to change the composition of the membership of the Vacant Property Review Committee."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1176

A Resolution entitled, "Resolution approving an agreement by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance in the amount of \$190,000 to North Side Civic Development Council, Inc. for site work for residential units to be constructed in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund."

Which was read.

Mr. Milliones:

I will be abstaining on all the North Side Civic Development Council, Inc. grants.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	Mr. Wagner
	(Pres't)

AYES 4 NOES 1

(MR. FERLO VOTING NO)

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the bill was tabled.

Also,

Bill No. 1177

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 20th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 21N Lots 239, 240 and 241, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1178

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the

City of Pittsburgh (SIDEYARDS)."

Which was read.

Also,

Bill No. 1179

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 10N Lot 265, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1180

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 26G Lots 25 and 29, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1181

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 30th Ward of the City of Pittsburgh designated in the Deed Registry

Office of Allegheny County, as Block 175D Lots 78, 79, 80, 81, 83, 85, 87, 89, 91, 95, 97, 99, 102 and 104, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1182

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Nellie Allen for the sale of Parcel 5D in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (REARYARD)."

Which was read.

Also,

Bill No. 1183

A Resolution entitled, "Resolution approving Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of various properties for \$1.00 per lot as per the Property Management and Maintenance Program (PMMP SIDEYARD SALE)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1184

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of Block 23C Lot 129 in the 21st Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	Mr. Wagner
	(Pres't)

AYES 4 NOES 1

(MR. FERLO VOTING NO)

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the bill was tabled.

Also,

Bill No. 1185

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 6th Ward of the City of Pittsburgh owned by the Buncher Company, and designated as Block 48D Part of Lot 75 in the Deed Registry Office of Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1186

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 48D Part of Lot 75, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1187

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment

Authority of Pittsburgh and the Buncher Company for the lease/sale of Part of Block 48D Lot 75 and Part of Block 48H Lot 100 in the 6th Ward of the City of Pittsburgh (WAREHOUSE/OFFICE USE)."

Which was read.

Also,

Bill No. 1188

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 16th and 17th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 12P Parts of Lots 227, 226 and 225, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1189

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Twenty First Street Associates for the sale of Block 12P Parts of Lots 227, 226 and 225 in the 16th and 17th Ward of the City of Pittsburgh (PARKING AND LANDSCAPING)."

Which was read.

Also,

Bill No. 1190

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land

by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization & Development Corporation for the sale of Parcels 13A and 13B in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 34 (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 1191

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Brighton Place Associates for the sale of Block 22M Lots 29, 26 and 24 and Block 22H Lots 213, 217, 223C, 223A, 223B, 223, 186 and 192 in the 25th Ward of the City of Pittsburgh (RESIDENTIAL REHABILITATION)."

Which was read.

Also,

Bill No. 1192

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Rufus J. & Willie Mae Wheeler, and designated as Block and Lot Block 2D Lot 323 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1233

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to provide computer consulting services related to the management of an existing R-base application for the management of the City's Parking Permit Program."

Which was read.

Also,

Bill No. 1234

A Resolution entitled, "Resolution affirming prior Cooperation Agreements between the City of Pittsburgh and the Housing Authority of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like to offer a motion on Bill 1234 in relation to the cooperation agreements with the Housing Authority which we approved. There is a need for approval to get to HUD in the next week and a half and they have asked that I please amend the final bill to make it become law upon the signature of the Mayor.

Mr. Coyne seconded the motion.

WHICH MOTION PREVAILED.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1251

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Airport Corridor Transportation Association, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Bill No. 1251 is the companion bill of 1250 which did not have five votes. It pertains to the Airport Corridor Transportation Association.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

Mr. Ricciardi

Mr. Milliones

Mr. Wagner
(Pres't)

AYES 4

NOES none

**(MR. COHEN AND MR. COYNE ABSTAIN-
ING)**

And a majority of the votes of Council
not being in the affirmative, the bill was tabled.

Mr. Coyne presented

Bill No. 1271

Report of the Committee on General Services
for August 8, 1990 transmitting one resolution
to Council.

Bill No. 1207

A Resolution entitled, "Resolution providing for
the letting of a Contract or Contracts, or the use
of existing Contracts for the purchase of office
partitions for the Department of Parks and
Recreation at a cost not to exceed \$20,000.00
(Twenty Thousand and 00/100) Dollars,
payable from Code Account 1842, Index Code
184200, Equipment, Department of Parks and
Recreation and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Michelle Madoff presented

Bill No. 1272

Report of the Committee on Water for August 8,
1990 transmitting one resolution to Council.

Bill No. 1236

A Resolution entitled, "Resolution providing for
a contract or contracts, or for an agreement or
agreements, with PA One Call System to
provide the City of Pittsburgh with a
Department of Water Street Opening
Information System and providing for the
payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Milliones
Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 1273

Report of the Committee on Parks and
Recreation for August 8, 1990 transmitting
sundry resolutions to Council.

Bill No. 1208

A Resolution entitled, "Resolution providing for
an agreement or agreements with the City
Theatre Company, Inc., for furnishing
professional services for the benefit of the
residents of the City of Pittsburgh during 1990
and providing for payment of the cost thereof
which is not to exceed Twenty-Five Thousand
and One Hundred (\$25,100.00) Dollars which
shall be chargeable to and payable from Code
Account 1838 (183806) Miscellaneous
Services, Recreation, in the Department of
Parks and Recreation."

Which was read.

Mr. Ferlo:

On Bill 1208, the University of Pitts-
burgh's Theatre Company, this is a contribution
of \$25,100 and, given the lengthy agenda and
debate at the Committee Session, I failed to note
this, but this is a group that did not actually come
before Council during the budget proceedings
and there was no discussion on this bill whatso-
ever. I'd like to ask for a motion to recommit this
bill.

Mr. Coyne seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1209

A Resolution entitled, "Resolution providing for
a license to Duquesne Light Company for the
installation, use, operation, maintenance, repair,
renewal and for the removal of cables, wires and
appurtenant facilities over, across and through
certain property of the City, the William Magee
Playground, fronting on Greenfield Avenue in
the 15th Ward in connection with furnishing
electrical service to the area."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also with a **NEGATIVE** recommendation,

Bill No. 1232

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Homewood Brushton Stingers, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,100.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation." --(SPONSORED BY MR. DARKINS)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Wagner
(Pres't)

AYES 1 NOES 5

VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also with an affirmative recommendation,

Bill No. 1245

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The George 'Dew' Brown Summer League, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation." (SPONSORED BY MR. MILLIONES)

Which was read.

Mr. Milliones:

Mr. President, I request to hold Bill 1245 until the next Legislative Meeting.

Mr. Coyne seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1249

A Resolution entitled, "Resolution providing for authorization to enter into an Agreement or Agreements with various contractors for professional services in connection with the Department of Parks and Recreation, Special Events and Cultural Affairs 1990, 1991, 1992 Great Race/Finish Line Services and providing for the cost thereof not to exceed the amount of Twenty-Two Thousand Dollars (\$22,000.00) from the Special Parks Program Trust Fund, Index Code 254359, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1274

Report of the Committee on Engineering and Construction for August 8, 1990 transmitting sundry resolutions to Council.

Bill No. 1149

A Resolution entitled, "Resolution further amending Resolution No. #310, effective April 25, 1980, as amended by Resolution #327, effective April 16, 1981, as amended by Resolution #1007, effective October 14, 1982, as amended by Resolution #712, effective August 25, 1987, as amended by Resolution #202, effective April 3, 1989, entitled 'Providing for an Agreement or Agreements, or Supplemental Agreement or Agreements, with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department

of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$900,000.00 from \$417,000.00 to \$1,317,000.00."

Which was read.

Also,

Bill No. 1150

A Resolution entitled, "Resolution further amending Resolution #1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by amending the title and by creating a cost range for EC 90-49, Computerized Traffic - Responsive Traffic Control System (CTRTCS)."

Which was read.

Also,

Bill No. 1151

A Resolution entitled, "Resolution further amending Resolution No. 706, effective August 19, 1986, as amended by Resolution No. 752, effective July 24, 1990, entitled 'Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Boundary Street; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by creating a cost range for this project."

Which was read.

Also,

Bill No. 1152

A Resolution entitled, "Resolution further amending Resolution No. 707, effective August 19, 1986, as amended by Resolution No. 753, effective July 24, 1990, entitled, 'Providing for an Agreement or Agreements with Gannett Fleming Transportation Engineers for Engineering Services in connection with the In-Depth Inspection of the Schenley Park Bridge over Panther Hollow; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by creating a cost range for this project."

Which was read.

Also,

Bill No. 1153

A Resolution entitled, "Resolution further amending Resolution No. 1094, effective January 1, 1988, as amended, entitled, 'Resolution adopting and approving the 1988 Capital Budget and the 1988 Community Development Block Grant Program; and approving the 1988 through 1993 Capital Improvement Program,' by increasing EC 88-77 by \$270,000.00 from \$5,150,000.00 to \$5,420,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1154

A Resolution entitled, "Resolution further amending Resolution No. 703, effective 8/29/88, as amended by Resolution No. 51 effective 2/20/89, entitled, 'Providing for a Contract or Contracts for the Reconstruction of Grant Street, Phase 4, from Fourth Avenue to Ft. Pitt Boulevard, including sewer reconstruction, waterline reconstruction, street lighting, necessary work on private property, and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$270,000.00 from \$5,000,000.00 to \$5,270,000.00."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill No. 1154 which represents yet another cost overrun for Grant Street of \$270,000, I won't offer my opinion on

Grant Street but I would like the discussion to note that the bill should be corrected, Bill 1154. It says, "To increase the allocation by \$270,000 from \$5,000." It should be "\$5,000,000 to \$5,270,000".

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Coyne	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1155

A Resolution entitled, "Resolution further amending Resolution No. 343, effective April 21, 1989, as amended by Resolution No. 614, effective August 3, 1989, as amended by Resolution No. 392, effective April 17, 1990, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of Various Recreation Centers, including but not limited to Ammon and Magee; and providing for the payment of

the costs thereof,' by increasing the total project allocation by \$500,000.00 from \$1,065,000.00 to \$1,565,000.00."

Which was read.

Also,

Bill No. 1156

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by amending the title and by creating a cost range for EC90-21, Arlington Avenue Reconstruction."

Which was read.

Also,

Bill No. 1157

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for the installation of fencing at the Route 51 Salt Storage Dome; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1158

A Resolution entitled, "Resolution providing for a contract or contracts for the Reconstruction of Arlington Avenue from East Carson Street to Warrington Avenue, Phase III, including work on private property and other work incidental thereto; providing for a Reimbursement

Agreement with the Port Authority of Allegheny County; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1159

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for the Renovation of the Control Room for the Computerized Traffic-Responsive Traffic Control System; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1160

A Resolution entitled, "Resolution providing for a contract or contracts for the Installation of the Computerized Traffic - Responsive Traffic Control System in the Central Business District; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1161

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for Renovations to the Department of Parks and Recreation Warehouse and Shop; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1162

A Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for the Renovation of Various Public Safety Facilities; and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

On Bill 1162, which proposes to extract various amounts of money out of the City budget, \$267,000 roughly, for various repairs to some of the Public Safety facilities, based on the tour, and we had that discussion with Director Sciulli, I would hope that the North Side lock-up area would be a prime consideration for repairs and improvements along with the No 6 Station as well as the station down below my area, the No. 3 Traffic Division.

Secondly, I really think the Administration needs to look at the problem of the North Side lock-up itself. Personally, I think the lock-up should be moved back to the old Public Safety Building, number one. It's going to be several years before we have a finished Public Safety Building, if at all, and in the interim I resent the fact that we provide the County with the facility to house additional prisoners and we haven't been taking care of our own problem, our problem being the fact that the neighborhood and others who are working to improve that part of the neighborhood are working in contra-distinction from our own City who has basically created chaos on that corner with the North Side Safety Police lock-up being there at the North Side Station. I think they should move that facility back to No. 1.

So, I hope they use some of that money to look into that.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Milliones
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

One item for the Record, Mr. Chairman. Rumor has it that Councilman Ferlo runs around at night on Grant Street with a pick and a shovel and loosens the bricks himself.

Mr. Ferlo:

Mr. Chairman, if I could respond. That is not true.

Rumor also has it that Mr. Mistick is down there in the middle of the night trying to repair the mess, but that's not true either.

Mr. Milliones:

I wish my colleagues a peaceful and quite recess.

Mr. Cohen:

I'll second that.

The Chair:

I'd like to state in closing that we're the only Legislative body, to my knowledge, that meets 50 weeks out of the year and the next two weeks are recess, until after Labor Day.

Mr. Ferlo:

Don't forget to take time to smell the roses.

Mr. Ferlo moved to approve the Minutes of Tuesday, July 31, 1990.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones moved to excuse Mr. Darkins, Michelle Madoff and Mr. Regan for absence from the meeting.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones moved to adjourn this meeting and meet again on Wednesday, September 5, 1990 at 10:00 a.m.

Mr. Cohen seconded the motion.

And on the motion of **Mr. Milliones**

Council adjourned.



MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Wednesday, September 5, 1990

PRESENT:

MR. COHEN	MR. MILLONES
MR. DARKINS	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT: Mr. Coyne

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

First of all I'd like to welcome everyone back.

I'd like to congratulate Mr. Ricciardi who was recently married. If Mr. Ricciardi is a little late for the meetings we'll understand.

Also, I'd like to welcome Mr. Regan and Mr. Darkins back from their trip to Russia, and I understand Councilwoman Madoff is doing well and will be joining us shortly.

PRESENTATIONS

Mr. Darkins presented

No. 1325 WHEREAS, on January 19, 1937 Florence K. Williamson Norman called together a group of 25 professional and business women in New York City to organize a new Greek letter sorority; and which organization was dedicated to promoting interest in business and professional education among women; and

WHEREAS, that organization was called Lambda Kappa Mu Sorority, Inc. and;

WHEREAS, the objectives are to provide annual scholarships for women interested in furthering their business or professional activities and to organize chapters of this sorority where women are qualified to engage in business or professional activities; and

WHEREAS, the Lambda Kappa Mu Sorority, Inc. espouses the highest ideals of leadership, dedication, individual development, and the desire to serve the sisterhood and the community. Lambda Kappa Mu Sorority, Inc. also endows its members with an awareness of the need for the greater involvement of women, particularly black women, in the affairs of the nation, and a willingness and knowledge to speak out constructively on issues that affect us all; and

WHEREAS, Lambda Kappa Mu Sorority, Inc. extends its interest in youth with a special national youth program; and

WHEREAS, the Sorority is a national affiliate of the National Council of Negro Women, Inc. and contributes to the National Council of Churches of Christ, National Urban League and the United Negro College Fund; and

WHEREAS, Alpha XI Allegheny-Erie, its newest chapter in the nation, sponsored by Juanita A. Taylor, was chartered today.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor the Lambda Kappa Mu Sorority, Inc. and wish them well on this occasion and offers the resources of the City of Pittsburgh to aid in their quest for a better life for our community, our females and with a special emphasis on our youth; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim September 8, 1990 as Lambda Kappa Mu Sorority, Inc. Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mrs. Taylor:

On behalf of the newly organized charter chapter of Alpha XI Pittsburgh-Allegheny-Erie Chapter, we accept this resolution to uphold the ideas and the purposes of the Lambda Kappa Mu Sorority, Inc. Thank you.

Michelle Madoff:

Would Wade Fox, Marshall Bridgewater and Sue DiLeo, please step forward.

I think this is a very timely resolution.

Michelle Madoff presented

No. 1326 **WHEREAS**, the Southwestern Pennsylvania, Regional Planning Commission has for more than a decade, promoted carpooling, vanpooling and public transit in the City of Pittsburgh to conserve gasoline, lessen traffic on the highways and combat air pollution; and

WHEREAS, SPRPC has provided information and assistance to a multitude of commuters wishing to participate in ridesharing through its 471-POOL telephone number; and

WHEREAS, many local jobs will depend upon a continuing commitment to conserve gasoline and wisely use our resources.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors the Southwestern Pennsylvania Regional Planning Commission in promoting and strengthening the use of carpools, vanpools and public transit to conserve energy, commends the patriotic efforts of the public in utilizing carpooling, vanpooling and public transit during the present and possible future crisis in the Middle East and elsewhere, and strongly en-

courages ongoing conservation efforts.

Michelle Madoff moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff:

For those of you who may or may not know for many years we have been proponents of alternative energy sources, using gas to -- one of my pilots last year was to convert some of City fleet to natural gas, to go to coal, to go to coal gasification, to go to various sundry forms of alternative energy cells, solar cells, and the reason we're aren't there is because it was too costly.

Well, I suggest that the lives of our kids going over to fight this battle is much more costly, and we better get our government allocating the dollars in the right place.

Mr. Fox:

I'd like to thank City Council for adopting this resolution and I accept it on behalf of the Southwestern Pennsylvania Regional Planning Commission.

It seems like every few years we have these energy crisis to remind us how dependent we are on the foreign oil, and a very simple way of combating this dependence is ridesharing. Just double up and you can cut your oil consumption in half. It's very simple and very easy. Thank you.

The Chair:

Sir, your name is?

Mr. Fox:

Wade Fox, Manager of Data Services.

Ms. DiLeo:

My name is Susan DiLeo, I'm Rideshare Coordinator, and I just want to say on behalf of the Rideshare Program, thank you very much.

The Chair presented

No. 1327 WHEREAS, Sharing and Caring, Inc. is a non-profit corporation composed of volunteers from various veterans organizations, their auxiliaries and several fraternal organizations, formed to serve the interests of hospitalized veterans; and

WHEREAS, Sharing and Caring, Inc. for the past six years, has organized and arranged a riverboat cruise for hospitalized veterans from area veterans administration hospitals and nursing homes; and

WHEREAS, the dates for this year's Sharing and Caring cruise are September 4th, 5th and 6th 1990, with approximately 1,600 people participating, including over 300 wheelchair patients.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh declares September 4th, 5th, and 6th, 1990, "Sharing and Caring Days" in the City of Pittsburgh and salutes the hospitalized veterans of the area.

Mr. Cohen moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Wagner:

Thank you. I'd just like to remind Council everyone's invited to the boat ride which was yesterday, today and tomorrow for the hospitalized veterans on the Gateway Clipper Fleet. Thank you.

Mr. Cohen presented

No. 1278 Resolution providing for the issuance of a warrant in favor of A. H. Mathias & Co., Inc., in the amount of \$10,261.15 in payment of Drawing Reproduction Services in connection with the transfer of ownership of six (6) bridges from the City of Pittsburgh to the Pennsylvania Department of Transportation, payable from Code Account 3-13-30-0001-90, "1989 Project Fund."

Also,

No. 1279 Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$1,014.88 for Railroad Flagging expenses incurred during the Rehabilitation of the Swinburne Street Bridge, payable from the Swinburne Street Bridge Trust Fund.

Which were read and referred to the Committee on Finance.

Also,

No. 1277 Resolution amending Res. No. 344, eff. April 21, 1989, entitled, "Providing for a Contract or Contracts, or use of Contracts, for the Rehabilitation of No. 1 Fire Station; and providing for the payment of the cost thereof," by amending the title to read "Rehabilitation of Various Public Safety Facilities," and by increasing the total project allocation by \$475,000.00, from \$300,000.00 to \$775,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 7th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1280 Resolution further amending Res. No. 1049, eff. Jan. 1, 1989, as amended, entitled "Resolution adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program," by increasing a line item (EC 89-66 Carnegie Library Brookline Branch Renovations) by \$35,000.00 from \$25,000.00 to \$60,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Cohen for Mr. Coyne presented

No. 1281 Resolution providing authorization to enter into a Contract or Contracts by the City of Pittsburgh with the Pennsylvania Energy Office (PEO), for a grant in the amount of \$30,000.00 in connection with the Vehicle Emissions Testing Project providing for the execution of a Grant Contract; providing for required assurances; providing for the deposit of the funds in a bank account of a special Trust Fund; and upon approval thereof, for an agreement or agreements for professional services in conjunction therewith and providing for the payment of the cost thereof.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 1282 Resolution adopting Official Sewage Facilities Plan for Ellsworth Plaza Plan.

Also,

No. 1283 Resolution adopting Official Sewage Facilities Plan for Fineview Crest.

Also,

No. 1284 Communication from Duane A. Darkins, Councilman, requesting permission for Patricia A. Williams and Burma Johnson, Administrative Assistants, to attend the National League of Cities Staff Conference for City Hall Professionals in Fort Lauderdale, Florida from September 27-29, 1990, at a cost not to exceed \$2,200.00, chargeable to and payable from Code Account 1001-3, Education and Training, Miscellaneous Services.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 7th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Also,

No. 1285 Resolution granting unto Jennifer Popovich, 1502 Bellaire Place, her successors and assigns, the privilege and license to construct, maintain and use at her own cost

and expense, a garage encroachment on a portion of the sidewalk of Witt Street in the 32nd Ward, Council District #4, City of Pittsburgh. Jennifer Popovich wishes to enlarge her garage and must have the additional room for side yard purposes.

Also,

No. 1286 Resolution granting unto Pittsburgh Tag Company, 1112-1120 Galveston Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a loading dock and awning on a portion of the right-of-way of Behan Street in the 22nd Ward, Council District #1, City of Pittsburgh. The request is made by Pittsburgh Tag Company that due to the volume of business, a larger loading dock is required.

Also,

No. 1287 Resolution granting unto Bob Kiecher, 1600 Smallman Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an electrical vault on a portion of the sidewalk of Smallman Street in the 2nd Ward, Council District #6, City of Pittsburgh. This request is made by Bob Kiecher so the electrical system for his building is more accessible for Duquesne Light Company.

Also,

No. 1288 Resolution granting unto Adelmo and Pasqua Sciuilli, 8 Cable Place, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a parking pad on a portion of the right-of-way of Melba Place in the 4th Ward, Council District #3, City of Pittsburgh. Mr. Sciuilli has asked for this encroachment that due to the parking situation the off-street parking pad is required.

Also,

No. 1289 Granting unto C. J. Greve, Joe Hammer Square Apartment Building, his successors and assigns, the privilege and license to construct, maintain and use at his cost and expense, a dumpster and fence on a portion of the sidewalk of Joe Hammer Street in the 4th Ward, Council District #6, City of Pittsburgh. This request is made by Mr. Greve that this is the only place for the dumpster.

Also,

No. 1290 Resolution granting unto Metz & Lautner Plumbing Company, 229 Bausman Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sanitary sewer lateral on a portion of the right-of-way of So. Neville Street in the 7th Ward, Council District #8, City of Pittsburgh. This request is made by Metz and Lautner Plumbers that due to the new construction, a lateral must be run to the existing sewer.

Also,

No. 1291 Resolution granting unto Bell of Pennsylvania, 201 Stanwix Street their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) telephone cabinets on a portion of the sidewalk of Swope Way, Marchand Street and Howe Street, 7th Ward, Council District #8, City of Pittsburgh. This request is made by Bell Telephone to upgrade their phone system.

Also,

No. 1292 Resolution granting unto Tony Lombardozzi, 4786 Liberty Avenue, his successors and assigns, the privilege and license

to construct, maintain and use at his own cost and expense, three (3) awnings over a portion of the sidewalk of Liberty Avenue and Mathilda Street in the 8th Ward, Council District #8, City of Pittsburgh. This request is made by Tony Lombardozzi to more enhance the esthetic look of his building.

Also,

No. 1293 Resolution granting unto Bell Telephone Company, 201 Stanwix Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) telephone cabinets on a portion of the right-of-way of Lyric Street and Collier Street in the 12th and 13th Wards, Council District #9, City of Pittsburgh. The request is made by Bell Telephone Company that due to the upgrading of the facility, the encroachment is necessary.

Also,

No. 1294 Granting unto Richard F. Costanzo, Two Gateway Center, 14th Floor, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, two (2) foundation footers on a portion of the sidewalk of Beechwood Boulevard in the 15th Ward, Council District #5, City of Pittsburgh. This request is made by Richard F. Costanzo, the developer, that due to the nature of the design the encroachment is needed in the sidewalk area for footers.

Also,

No. 1295 Resolution granting unto Birmingham Towers, 21st and Wharton Streets, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a ramp, entrance and canopy on a portion of the sidewalk of Wharton Street in the 16th Ward, Council District #3,

City of Pittsburgh. This request is made by the Birmingham Towers Company that due to the remodeling of the building the entrance way is required to get people to and from the building.

Also,

No. 1296 Resolution granting unto Pennsylvania American Water Company, 410 Cooke Lane their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a vault for water valve on a portion of the sidewalk of Stetson Street in the 19th Ward, Council District #4, City of Pittsburgh. The request is made by Pennsylvania American Water Company to upgrade the water supply.

Also,

No. 1297 Resolution granting unto Mark G. Houmis, 1774 Helen Drive, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an 8" sewer line on a portion of the right-of-way of Grandview Avenue in the 20th Ward, Council District #2, City of Pittsburgh. The encroachment is necessary to tap into the existing manhole located in Hallock Street and Grandview Avenue.

Also,

No. 1298 Resolution granting unto Anthony A. Laush, 1552 Lowrie Street, his successors and assigns, the privilege and license to pave, construct, maintain and use at his own cost and expense, a driveway on a portion of the right-of-way of Adna Street in the 26th Ward, Council District #1, City of Pittsburgh. Mr. Laush has asked for this permission to gain access to his property so he can develop two single-family homes.

Also,

No. 1299 Resolution accepting the dedication of certain property in the Highland court Plan in the 11th Ward, Council District #7, City of Pittsburgh for highway purposes. This dedication is made by the residents of Highland court to have their street added to the City of Pittsburgh's network of streets.

Also,

No. 1300 Resolution accepting the dedication of certain property along the Eastern side of Nash Street between Avery Street and Pressley Street in the 23rd Ward, Council District #1, City of Pittsburgh for road purposes. This request is made by PennDOT that this section of road is completed and by the agreement all property outside the road limits will be dedicated to the City of Pittsburgh.

Also,

No. 1301 Resolution vacating Loomis Way, between Brighton Road and Jayme Way, also reserving an easement for the 15" sewer line located therein in the 27th Ward, Council District #1, City of Pittsburgh. The petitioner, Paul Heckman, has requested this vacation for sideyard convenience.

Also,

No. 1302 Resolution vacating Bermuda Street between Kingwood Street and Fernland Street, also reserving an easement for a 30" water line in the 32nd Ward, Council District #4, City of Pittsburgh. The petitioner, Paul and Ruth Ann Obeldobel, requested this vacation for sideyard convenience.

Also,

No. 1303 Resolution changing the name of Colbert Street between vacated Locust Street

and Forbes Avenue to McAnulty Drive in the 2nd Ward, Council District #6, City of Pittsburgh. The property owners have requested this name change.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1304 Resolution approving an Agreement by and between the URA of Pgh. and Kevin E. And Adrienne Cooper, Jacqueline Brooks, Andre and Maureen Dobson and Ousainu and Patricia Rashid for an amount not to exceed \$60,850.00, payable from the Neighborhood Housing Fund for engineering services, legal fees, landscaping, construction of a fence and deck, site preparation and hillside reconstruction to correct a subsidence problem on Haverhill Street in the City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1305 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 181, General Provisions, to include the requirement of U.S. Citizenship for employment with the City.
—(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Also,

No. 1306 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Section 921.02, Zoning District Map No. 5, by changing: From "S" Special District and "C3" Commercial District to "R2" Two-Family Residence District certain property in the

vicinity of Perry Traditional Academy along PERRYSVILLE AVENUE; MAIRDALE STREET and SEMICIR STREET, 26th Ward, Council District #1.

Also,

No. 1307 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Section 921.02, Zoning District Map No. 12, by changing: From "M4" Heavy Industrial District to "C3" Commercial District all that certain property bounded by: SOUTH NINETEENTH STREET; MERRIMAN WAY; SOUTH EIGHTEENTH STREET and the MONONGAHELA RIVER, 17th Ward, Council District #3.

Also,

No. 1308 Resolution providing for an Agreement or Agreements, Contract or Contracts, or to make use of existing contracts to undertake the Baum/Centre/Ellsworth/Penn Circle Transportation Study at a cost not to exceed \$60,000.00.

Also,

No. 1309 Resolution authorizing the Mayor and the Director of Planning to submit applications for funding to State and Federal agencies for riverfront development and recreation activities and to enter into Agreement or Agreements for the implementation of those activities. The amount shall not exceed \$200,000.00, chargeable to and payable from the Riverfront Trust Fund #1, and from the Riverfront Acquisition Account 04-35-05-5030.

Also,

No. 1310 Resolution amending Resolution No. 905-90 by changing the payment

account to a special trust fund and by authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Stadium Authority for the consideration of the Stadium Pedestrian Circulation Improvements project, at a cost not to exceed \$1,600,000.00, chargeable to and payable from the Stadium/DCA Trust Fund.

Also,

No. 1311 Resolution Repealing Resolution No. 906-90 which amended Resolution No. 893-89 by increasing the total project cost and scope of the Stadium Pedestrian Ramps Project from \$350,000.00 to \$2,200,000.00.

Also,

No. 1312 Resolution authorizing a First Amendatory Community Development Corporations Cooperation Agreement providing for the transfer of an additional \$3,564.49 by the URA of Pgh. to the City of Pittsburgh to be used by the City to fund Community Development Corporations for a total of \$71,893.05. The funds will be deposited in the 1990 Community Based Organizations Trust Fund.

Also,

No. 1313 Resolution approving Modification No. 1 to the Herr's Island Proposal, dated August 1, 1990, approving Modification No. 1 to the Herr's Island Redevelopment Area Plan dated July, 1990, and making certain findings related thereto. The plan for development of the island includes up to 300,000 square feet of office/research & development/light industrial development; a marina development providing space for 475 boats, a ship's store, members lounge, boat sales; a town center development with restaurants and

specialty shops; development of up to 200 housing units; and construction of a public park and tennis facility. The total project budget for public improvements is \$25.5 million with \$20.7 million already spent or committed. The changes proposed in this modified Proposal are made primarily for the purposes of updating this document to reflect the current status of the project area, to make it consistent with the existing plans for development, and to conform with the current SP-2 zoning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff:

Mr. President, I need some guidance. There's two bills before me, one is for a spectrophotometer that needs to be repaired and I have no problem with that.

And, the other one is another \$85,000.00 transfer in the Water Department and as yet I have not met with Dawn Botsford, who is to meet with me and tell me about what is happening in the collections. I would like to hold the other one one week or should I submit it and then ask to have it held. I mean it would come this afternoon and I don't want it up until I--

The Chair:

It will come up a week from tomorrow.

Michelle Madoff:

Here's my point. I want to be sure it does not come until Dawn Botsford meets with me and I can report back to this committee, because you know you served on that committee. I want to know if that \$18 million has been removed from the books. Whether it should be removed or whatever, and how much we've collected.

Another \$85,000.00 transfer of dollars.

The Chair:

Why don't you introduce it and we will not Suspend Rule 8.

Michelle Madoff:

Thank you, but could we have a note go out to Dawn Botsford that before the meeting on Wednesday it will not be discussed unless I have a meeting and an update with her. I'll work on it and my aide will make sure.

The Chair:

All right. Thank you.

Michelle Madoff presented

No. 1314 Resolution providing for the issuance of a warrant or warrants totalling \$1,000.00 for payment to Perkin-Elmer Corporation, for the emergency repair to the Atomic Absorption Spectrophotometer at the Water Treatment Plant, Purification and Pumping Division, chargeable to and payable from Code Account 1974, Repairs, Department of Water.

Also,

No. 1315 Resolution providing for the transfer of funds totalling \$85,000.00 from Code Account 1926, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1981, Premium Pay, Distribution Division, Department of Water.

Which were read and referred to the Committee on Finance.

Mr. Milliones presented

No. 1316 Resolution transferring the aggregate sum of \$15,000.00; \$7,500.00 from Code Account 1049, Supplies, and \$7,500.00 from Code Account 1051, Equipment, Office of the City Controller, to Code Account 1052-9, Workers' Compensation, Office of the City Controller.

Also,

No. 1317 Resolution amending Res. No. 740 of 1990 entitled, "Providing for the filing of an application by the City of Pgh. with the Commonwealth of Pa. for a grant in connection with Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving EDWAAA; providing for subcontractor agreements and providing for required assurances" by increasing the amount available for subcontractor agreements by \$66,000.00.

Also,

No. 1318 Resolution amending Res. No. 732 of 1990 entitled, "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof," by increasing the amount available to subcontractor agreements by \$778,000.00.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 7th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 1319 Resolution amending Res. No. 450, Item H, effective April 30, 1990, which authorized the sale of a vacant lot, located at St. Norbert Street, 32nd Ward, Block 138 B, Lot part 210, to Richard Reich and Mary Reich, his wife, for the sum of \$400.00. The reason for the above amendment is to correct the plan lot numbers which, indicated in error, currently read pt. 43 and pt. 56. The correct plan lot numbers are 43 and 56. Council District #4.

Also,

No. 1320 Resolution Repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 1321 Resolution Repealing Res. No. 818, approved August 3, 1990, eff. August 10, 1990, entitled, "Providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase (1000 Gallons) of firefighting foam for the Bureau of Fire, at a cost not to exceed \$20,000.00, chargeable to and payable from the Department of Public Safety, Bureau of Fire, Code Account 1463, Supplies & Materials, Index Code (146308)."

Which was read and referred to the Committee on General Services.

Mr. Ricciardi presented

No. 1322 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in payment for professional services rendered to Eugene Ricciardi for the month of September, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Index Code 100123, Council District #3, City Council. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

The Chair presented

No. 1323 An Ordinance supplementing Ordinance No. 14, passed in Council July 3, 1990, entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Chapter 606 River Safety - Boating," by adding Section 606.10 (a) Effective Date. Effective Date May 1, 1991.

--- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Public Safety.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 7th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferio seconded the motion.

Which motion prevailed.

Also,

No. 1324 Communication from Tom Flaherty, City Controller, submitting the fiscal

audit for the Department of General Services' Warehouse Inventory.

Which was read, received and filed.

UNFINISHED BUSINESS

Mr. Milliones presents

Bill No. 1243

A Resolution entitled, "Resolution transferring the amount of \$1,500.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation." —(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 1245

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The George 'Dew' Brown Summer League, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation." —(SPONSORED BY MR. MILLIONES)

Which was read.

Michelle Madoff:

Would somebody explain it to me, I'd like to know what its for?

Mr. Milliones:

Some are from the \$5,000.00 account.

Michelle Madoff:

Our individual account.

Mr. Milliones:

That's correct. \$1,500.00 for the summer basketball game.

Michelle Madoff:

Is that from your own allocation?

Mr. Milliones:

Yes.

Michelle Madoff:

I vote for it.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 0

(MR. COHEN ABSTAINED)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

I would like to entertain a motion to reconsider six bills that were automatically tabled at the last session, due to a lack of an appropriate number of votes. We had three people missing at our final meeting.

Michelle Madoff:

On that subject, when we're through I have three items I'd like to bring before Council's attention. So, I just want to be sure that we don't dissolve the meeting before.

The Chair:

Well, we're still under Unfinished Business then we'll have Motions and Resolutions.

Michelle Madoff:

Thank you.

The Chair:

Is there a motion to do that?

Mr. Regan moved to untable Bill No. 1118, Bill No. 1240, Bill No. 1184, Bill No. 1176, Bill No. 1250, and Bill No. 1251.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

We were present but one our illustrious colleagues, Mr. Ferlo filibustered the meeting and for that reason we were late in leaving, and I apologize.

Mr. Ferlo:

Mr. Chairman, let's correct Mr. Regan's comments. The lengthy debate was at the Wednesday session.

The Chair:

Correct.

Mr. Ferlo:

There was no such lengthy debate at the final meeting, two members were absent including my good colleague Mr. Regan.

Michelle Madoff:

And, I was in the hospital.

The Chair:

Correct. The bills are untabled. Two of the six bills are warrants which require six votes, Bills 1118 and 1240. I would like Mr. Perry to read those first.

The Chair presents

Bill No. 1118

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Thirty-Four Thousand Seven Hundred Forty-Eight and 13/100 (\$34,748.13) Dollars for payment, without previous authority of law, to Mistick, Incorporated, Thomas Mistick, President, for refurbishing of the existing elevator at #5 Police Station, and providing for the payment thereof. Funds are available in Capital Project Account #3-30-01-0003-90, Index Code 830109, Bureau of Repairs and Operating Maintenance, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall be bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

VOTING NO:

Mr. Ferlo
Michelle Madoff

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1240

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$4,000.00 payable to Pamela Green, c/o Glenn D. Dolfi, Esquire, 4762 Liberty Avenue, Pittsburgh, PA 15224, in full settlement of personal injuries sustained in a motor vehicle accident on December 9, 1987."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall be bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

(MICHELLE MADOFF ABSTAINED)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Michelle Madoff:

Excuse me, point of order. Did we vote on Bill No. 1118, which was the Mistick repair of the — and I said I didn't know enough about it. That's a no vote please. Record me as no.

The Chair:

Okay. The bill still has sufficient votes to pass.

Michelle Madoff:

But I just want to be recorded as no. That is not who should be doing the elevators. The elevator companies, not a third party making a profit.

Also,

Bill No. 1184

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. for the sale of Block 23C Lot 129 in the 25th Ward of the City of Pittsburgh (RESIDENTIAL CONSTRUCTION)."

Which was read.

Also,

Bill No. 1176

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and North Side Civic Development Council, Inc. in which the Urban Redevelopment Authority of Pittsburgh will provide financial assistance in the amount of \$190,000.00 to North Side Civic Development Council, Inc. for site work for residential units to be constructed in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Michelle Madoff

Mr. Millions
Mr. Regan
Mr. Ricciardi
Mr. Wagner

(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1250

A Resolution entitled, "Resolution transferring the amount of \$2,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1251

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Airport Corridor Transportation Association for the benefit of the residents of Pittsburgh, at a cost not to exceed \$2,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

(MR. COHEN ABSTAINED)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I would like to share with Council a couple of things that have come to my attention. First of all the supply of vegetables for the Zoo, the supply of fish for the Aviary have been severely curtailed because supposedly at the Zoo they lost their accountant, and because of the way the system works in government, it moves rather slowly, because of the postings and hirings and so on. We found ourselves in a position that people don't want to bid. They want to cut off our supply and of course prices go up, and I checked on it and without a doubt we're paying more than we need to pay.

I've spoken to Louise Brown and I spoke to the Assistant Zoo Director, as you know how I feel I believe those are agencies that should be funded by the county, but if we're going to be paying for them -- I'm going to be overruled by the number of votes, at least let's not pay more than we have to. I would like to see legislation introduced that would allow these entities to go down to the Strip District everyday and buy at

the lowest prices.

Louise Brown concurs with that. I'd like Council to consider it, and I've asked that legislation be drawn up in the Law Department for future consideration, but I would like to bring this to your attention. I am tired in the years I've been here of seeing us pay sometimes three times a wholesale, three times retail because we don't buy in blocks. We don't buy at the right time. We don't have enough bidders. People don't get paid on time, and therefore, the next time they bid, they bid at high prices, and this is one we can stop before it gets any worse. So, that is something that we'll be brought to your attention.

On another matter. I want to clarify this once and for all. I am not dying of melanoma. I had a pre-cancerous growth on my leg. It required a graph. The graph was taken from my stomach and I was fine. I was to have a seven day hospital visit. Unfortunately, I threw three emboli, and seems that when your legs are immobilized this can happen, and I had a very bad time of it. It was touch and go. I'm on coumadin for six months. They anticipate I will have a complete recovery, and so thank you everybody for your well wishes. But, I think the reason I threw the embolus is because I got this memorandum from the City of Pittsburgh.

For many years I have been trying to do something about the district I live in particularly in my District #2, which is Mt. Lebanon - excuse me, Mt. Washington/Duquesne Heights Area.

Mr. Regan:

God bless those suburbanites.

Michelle Madoff:

As long as they spend money here.

This is very serious. And, everytime I've gone to a meeting of the Mt. Washington Chamber of Commerce, headed by a City employee who also ran for office, what they would do would be to bring in the City Planner, and that person would get up and say, I have here the six year plan, and if you want to do anything for your community look at this six year plan, which meant nothing to anybody. Nobody ever organized the community and said here are the problems, what are your problems in various districts, and how do you support each other to make things happen. The kind of thing I did in organizing GASP. The kind of thing that every member here has done in organizing their communities to be effective.

And, so a memorandum was sent out to me from Jane Downing, Planning Director, dated August 1, 1990. I didn't get it until I was in the hospital. The memorandum reads as follows:

MEMORANDUM

TO: Michelle Madoff, City Council

FROM: Jane A. Downing, Planning Director

DATE: August 1, 1990

RE: MT. WASHINGTON-DUQUESNE HEIGHTS COMMUNITY GROUPS

Last spring I asked planning staff to analyze the feasibility of convening Mt. Washington-Duquesne Heights community and business organizations to ascertain any common issues or goals between them. After talking with Charlie Peterson of the Community Technical Assistance Center (C.T.A.C.) about responsibility of follow-up assistance from C.T.A.C., we decided that staff should first contract the key actors of the Mt. Washington-Duquesne Heights organizations to determine if:

- a) there was any desire for them to convene together,
- b) there was any desire for assistance on common issues,
- c) the present arrangements for collaboration are working.

Accordingly, planning staff then contacted each key actor from these organizations, in order to solicit their opinion on the need for any collaborative efforts between them.

The following were contacted:

- 1) Gil Lancia, President
Mt. Washington Chamber of Commerce
- 2) David Miller, President
Mt. Washington-Duquesne Heights Community Council
- 3) Donna Dugan, President
Grandview Area Concerned Neighbors
- 4) Beverly Azzaro, President
Mt. Washington Action Coalition

Mr. Lancia said that "at this time, his organization has no desire to convene with the other groups, or to form any kind of coalition." He stated that "as a pre-condition of his acceptance as President, that the Chamber be open to both business and non-business community residents."

Additionally, Mr. Miller stated that "at this time the Community Council has no desire to convene or form a coalition with any other community groups." He said that "zoning issues and major development projects" which may impact the entire community are the primary

focus of his organization.

Furthermore, staff contacted both Donna Dugan, President, Grandview Area Concerned Neighbors and Beverly Azzaro, President Mt. Washington Action Coalition. An attempt was made to set up phone interviews with them in order to ascertain their viewpoints as was done with Mr. Lancia and Mr. Miller. On various occasions these telephone inquiries were not returned which has lead the planning staff to conclude these two groups are at best, ad hoc in nature.

However, recently a group of neighborhood residents has surfaced in an attempt to form a "new" community organization. Planning staff has been in contact with the organizers of this new group. Also, staff has contacted Mr. Lancia, Mr. Miller, and Mr. Peterson of C.T.A.C., to solicit their comments and advice on this group. We will be keeping in close contact with the existing community groups regarding their interface with these organizers, as well as providing them with any information as requested. Of course, we will continue to monitor progress in the development of the new organization, and assist them in any manner possible.

Based on the above analysis we have determined that;

- a) there has been no desire expressed by these existing community organizations at the present time to convene together,
- b) there has been no desire expressed by these existing community organizations at the present time for collaborative assistance on any common issues; we must therefore conclude that at the present time,

c) the current status-quo is working.

If you have any questions on this information please contact me.

CFR/fb
(cfr.81)

(END OF MEMORANDUM)

I don't want to bore you with all the details but the people they spoke to are people -- Gil Lancia, President of the Mt. Washington Chamber of Commerce, who doesn't own a business. David Miller, I've known for years from J & L who is involved with the Mt. Washington-Duquesne Heights Community Council which has been fallow for many years.

Another group Granview Area Concerned Neighbors has done nothing for years. I had assigned my staff and believe me Bill Urbanic has done a phenomenal job, and we have before you a list at least 25 people including Father McCormley from St. Mary of the Mount, the Chatham Village, people from the Block Watch, Friends of the Library, Mt. Washington Community Corporations called the other side of Mt. Washington. The Condo Association. I met with the Trimont people. I'm about to meet with the Plaza people, and they believe that we have communal issues that need each others support, and they're rip-roaring and ready to go, and they've had at least five or six meetings, and for this memo to come out saying, there are no problems, we don't need to do anything up there. Is the height of why we need to replace Jane Downing. I swear that I cannot believe the memo I had. I'm sure that if we had not been working on it personally -- the reason I took it on myself is that it's very difficult to organize a community, and to also be on Council.

But to say there are no problems and that this is not a community that needs problems, and

to go to the people who not the people involved and not to ask us -- I mean may have another embolus. All I can tell you is that I want to share with you my absolute horror at this, and we have contacted the people who have been meeting and asked them to write letters to the Administration explaining the kind of problems that we have. Which are no different than the problems you have in your district. We have the boom boxes, the radios playing at 12:00 o'clock at night, that you'd think it was Radio City Music Hall. We have the kids hanging out after 11:00 o'clock, we have speeding on the roads, we had the water line that was put in, we had roads that were repaired, we have a zoning problem that there's a disgruntled issue that people are divided on. There's a new hotel going up there. What do you mean we don't have issues up there and there's no need to do anything.

I really felt so strongly about it I wanted to share it with this group, and I thank you for listening, and I will have documentation. I've spoken to the Administration and have documentation showing that is absolutely a piece of garbage that was put together by Planning will be sent to the Administration documenting everything I've said.

The Chair:

Prior to moving on I just want to follow up and state, you referred to the capital budget Councilwoman Madoff, and I for one, and I'm sure all of you are irritated with the fact that this Council has not received a six year capital budget as of this date and this hour.

Mr. Cohen:

Absolutely.

The Chair:

And it was presented several days ago. It

was presented to the media prior to Council, and I for one am very irritated that this Council has not received it including our budget staff.

Mr. Regan:

I just would like to welcome the Councilwoman back. I notice she got her leg rapped up. She looks like the race horse that she really is.

Michelle Madoff:

Thoroughbred.

Mr. Regan:

Thoroughbred, right. But, I'd also like to commend Jane Downing the Director. I think she does a tremendous job.

Michelle Madoff:

It shows you that you're not informed, but we love you anyway.

Mr. Ferio:

Mr. Chairman, I had two points. One of which you just expressed and that is the fact that Council as a legislative branch of government has not even received the capital budget yet to date. I don't believe -- Mr. Perry have you received it yet?

Mr. Perry:

No.

Mr. Ferio:

And, I know Mr. Wagner you did call over there yesterday, and hopefully its in the mail like a few other things.

I just wanted to speak very briefly Mr. President, in our absence a very unfortunate thing happened for our City, and that is we lost a lawsuit that was very important to us. In our absence a three member panel of the Commonwealth court reversed a lower court decision which invalidated Resolution No. 78. That was a piece of legislation which I sponsored. In which you supported Mr. Wagner, Michelle supported, and Mr. Coyne during the Calliguri Administration with their support, and that involved the sale of asphalt to other municipalities outside the City, to other school districts, other public entities. The obvious benefit clearly was the revenue to be derived from the sale of asphalt. As well as all of us are aware we have one of the most modern and efficient asphalt facilities in the country, and we wanted to fully utilize the capacity of that plant.

Unfortunately, this court decision in the Commonwealth court is a very important decision. I want to call on the Administration because it's unclear that they will appeal, but I hope that Council will join me in requesting that the Administration review all the legal issues involved and build a legal strategy to appeal that decision.

The legal debate has to do with the issue of what is proprietary function of City government. Whether or not City government doing this is competing with the private sector and performing something that otherwise would just normally be performed by a private business. The results could be devastating in other areas of government. There's no difference fundamentally with us selling asphalt then us marketing water and selling water to municipalities outside the City. There are others for profit water companies.

It may be conceivable in the future we might want to have some joint emergency medical system with other municipalities given our

technology and expertise, and there are clearly for profit ambulance services throughout the county.

In the future this Council has committed and the Administration to embark on the construction of a hydroelectric power plant. The sale of electricity to other municipalities. This is proprietary, Duquesne Light Company other major suppliers of electricity. So, it's a very important issue, and I think it could raise a signal to others in the private sector and other legal minds to begin work on other issues involving the City government providing services to its people.

So, I would urge Council to support and talk to the Administration, and let's make a form of a motion that we call on the Administration to review the legal issues, and to appeal the Commonwealth court decision.

Secondly, I think they also need a legislative strategy. In the court's decision they're referring specifically to Section 302-D of the state enabling legislation which gave us home rule powers. That's a clause that deals with City government not being able to in any way involve itself with business or to perform any proprietary function. That legislation needs to be altered, and I think we need to meet with our delegation. I know the Mayor is preparing a legislative agenda for the fall with Mr. Kolling so I would ask that the Administration to pursue both a legal as well as a legislative agenda to address this important issue.

Michelle Madoff:

Is that a motion?

Mr. Ferlo:

That was in the form of a motion.

Michelle Madoff:

I would suggest that the Law Department research what is going on in other communities. There are other cities who are now generating revenue, and I've talked about this for a number of years, by joint venturing in businesses with private entities. They're going to the hotel business, they're going into shopping centers where they own a piece of the action and get revenue from it to offset the taxes.

So, I think that your point is extremely valid that we find out where they're doing other things and then make the point that not only are we helping the communities around here, but if we're giving them asphalt at a price, its helping the community. Indeed we need to either raise taxes -- many of those people competing with us in the asphalt business don't even live in the City.

Mr. Ferlo:

Mr. Chairman, just to clarify. What I'm really asking for is the Administration to formally communicate back to Council through you what their actions will be in regarding this lawsuit, and any legislative legal actions that they will pursue.

Michelle Madoff seconded the motion.

The Chair:

And, because it's so important I think it should done in writing.

Mr. Ferlo:

I will help frame the letters.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner (Pres't)

AYES 6

NOES 1

(MR. REGAN VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Cohen:

I just wanted to echo Councilman Ferlo's comments. I have not read the Commonwealth court decision, but this City has put a lot of -- Public Works in particular has put a lot of time, effort and money in the development of asphalt production and marketing capabilities. It would be a real shame for us to lose that at a time when we have probably our biggest challenge. Our biggest challenge is how to maintain City services in a decline revenue base. We have to overturn every possible stone to try to find revenue, and I think that's a very appropriate way to find it, so I'm glad that Councilman Ferlo brought it up.

Michelle Madoff:

I would like to take this opportunity welcoming a new married man to our fold. Some of us have gone one way and he's gone the other way, and we all know that's Gene Ricciardi, and I think he married a wonderful, lovely gal, and I

wish him all the happiness in the world.

Mr. Regan:

I second the motion.

Mr. Ferlo:

Mr. Chairman, just in closing I really don't want to reopen the whole issue of Mr. Kuzmanko in the marathon. I only know about this situation from I read in the newspapers. The only think I know about the marathon and what best could be described as a debacle is what I read in the papers, and I think its a terrible situation. Council, who consistently has appropriated funds not only for the marathon but other mega events that make our City great has not been informed properly by the Administration. I would like to urge that all of us individually request from the Administration some written explanation, or some formal explanation to Council regarding what is fact and fiction regarding the marathon. I don't think we should have to learn that from newspaper headlines and talk shows. We should receive a report. This is a very important event, and I'm sure a majority of Council members really want to see this event continue, and on a personal note I know others here on Council are closer and probably have known Larry Kuzmanko a lot longer than I have, but in the short time that I have known him. He's one hell of a guy, and I think he's done an admirable job, and I think we are indebted to him.

The Chair:

Are you asking for a report from the Pittsburgh Marathon --

Mr. Ferlo:

I'm asking for a report from the Administration regarding what their intentions are regarding future marathons, reconstruction of a

non-profit group, the funding situation. I think we are also owed some explanation rationally as to what this issue is all about.

The Chair:

I agree.

Mr. Ferlo:

That's my opinion.

Mr. Regan:

I just think the guy is a brilliant promoter, and I think its a shame that this had to end this way. The guy's put on seven successful marathons, and I think its a sad day for the City of Pittsburgh.

The Chair:

Well my opinion, it wasn't broke, therefore, it didn't need fixed.

Mr. Ferlo moved to excuse Mr. Coyne for absence from the meeting.

Mr. Ricclardl seconded the motion.

Which motion prevailed.

Mr. Cohen moved to approve the minutes from Tuesday, August 7, 1990 and Monday, August 13, 1990.

Mr. Milllones seconded the motion.

Which motion prevailed.

and on the motion of Mr. Regan

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 35

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, September 11, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 1352 WHEREAS, Luciano Pavarotti, world famous opera tenor, was born in Modena, Italy and is a dedicated husband and father; and

WHEREAS, Luciano Pavarotti has thrilled millions of fans by appearing in recitals, with orchestras, on records, on television, in motion pictures and in operas; and

WHEREAS, Luciano Pavarotti has contributed much of his energies in developing the talents of young singers throughout the United States and the world; and

WHEREAS, Luciano Pavarotti has instructed students in his widely respected Masters Classes and has organized an ongoing international vocal competition with the Opera Company of Philadelphia; and

WHEREAS, Luciano Pavarotti has exhibited a genuine compassion, love and appreciation for humanity throughout the world; and

WHEREAS, Luciano Pavarotti continues to excel in the areas of painting, tennis and horsemanship; and

WHEREAS, Luciano Pavarotti has traveled to the City of Pittsburgh to once again give of his love, kindness and talent.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim September 13, 1990 as Luciano Pavarotti Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have from the Pittsburgh Opera today Mr. Tito Capobianco that will receive this resolution. And on Thursday of this week at the Vista, we will be in attendance there with this honored guest that is coming to our City.

Mr. Capobianco:

Thank you very much. Let me be very simple to say that I am proud to be in Pittsburgh. I am proud to work for you people of Pittsburgh, and I am proud to bring Pavarotti and only the best to this great community. Thank you very much.

The Chair:

Thank you, Mr. Capobianco.

Mr. Ferlo:

I'd like to have the representatives from the United Textile Workers Union as well as the American Textile Company to come forward, please.

Mr. Ferlo presents

No. 1353 **WHEREAS**, the American Textile Company was established in 1925 at 815

Penn Avenue in the City of Pittsburgh; and

WHEREAS, the American Textile Company was founded by the Ruttenbergs, five brothers who were born and raised in the City of Pittsburgh, and Mr. Reid Ruttenberg, the current President of the American Textile Company, is the second generation owner of the Company; and

WHEREAS, in 1951, the American Textile Company moved to its present location at 49th and Harrison Streets in Lawrenceville; and

WHEREAS, the American Textile Company manufactures household textiles made in Pittsburgh by Pittsburghers and distributes its products throughout the United States; and

WHEREAS, the American Textile Company has a total of 140 employees, whose average length of services is twenty-two years, and 40 employees have worked with the Company between 30 and 50 years; and

WHEREAS, on September 14, 1990, the American Textile Company will celebrate the 64th Anniversary of the founding of the Company.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the American Textile Company on its 65th year of operation in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim September 14, 1990 to be American Textile Company Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like to introduce the folks to my left and specifically Mr. Ruttenberg who would like to make a statement. We have Mr. Ruttenberg here from the Company; he's President and Chief Executive Officer. To his left is Mr. Ouellette from the Company and he is the Vice-President. We also have two workers, representatives of the United Textile Workers Union, Jackie Baker who is the President of the Local and Nancy McClaren who is the Financial Secretary.

At this time, I'd like to introduce to Pittsburgh to promote the Company, Mr. Reid Ruttenberg.

Mr. Ruttenberg:

Mr. President, Members of Council, and guests, I'd like to thank Councilman Ferlo for what I consider a great honor.

We have been in the City of Pittsburgh for 65 years nestled in the rollings hills of Lawrenceville, Pennsylvania, and we presently employ about 140 to 150 members. I'm just sorry that my Dad couldn't be here to help enjoy this celebration with us. Thanks very much.

Mr. Ferlo:

I do want to add, the Company is having a celebration ceremony this coming Friday, the 14th, and I think all of Council is invited. Maybe you'll be able to come out and share in the festivities.

But I'd like to thank them all and let's support the Pittsburgh area products that are made by this Lawrenceville company.

At this time, I'd like Tom Hoffman to come forward and any others from the National Health Care Action Day Coalition. Tom is with the Service Employees International Union who is organizing a fairly broad-based coalition here in the City of Pittsburgh and throughout Western Pennsylvania to deal with the crisis of health care. I know there's many people, certainly those in this room today, that are very concerned about this issue.

Mr. Ferlo presents

No. 1354 WHEREAS, the American health care system is at a crossroads. The employer-based health insurance system that once guaranteed health coverage to working Americans and their families is collapsing; and

WHEREAS, 37 million Americans have no health insurance and more than 20 million of those are full-time workers and their family members; and

WHEREAS, 40 to 50 million working Americans have such inadequate insurance that one serious illness means financial ruin; and

WHEREAS, despite spending 11.5% of the nation's GNP on health care, the U.S. ranks behind Canada, Japan, Great Britain, Sweden and West Germany in infant mortality and life expectancy; and

WHEREAS, about 25% of U.S. health expenditures go towards wasteful or inappropriate medical procedures; and

WHEREAS, health care costs are the number one cause of labor strikes as unions fight for their members against health benefit take-aways; and

WHEREAS, solving the health care

needs of Americans is too big for any one bargaining table, local government, or state government to resolve.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls on Congress to enact a comprehensive national health care reform program that embodies the AFL-CIO's ten principles:

- Universality that ensures that health care is a right for all Americans
 - Public Accountability
 - Affordability and Accessibility
 - Comprehensiveness
- Equitable and Progressive Financing
 - Fairness
 - Portability
 - Cost Containment
 - Quality Assurance
- Public/Private Administration

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Wednesday, October 3, 1990 as National Health Care Action Day in the City to highlight and dramatize the need for a solution to America's health care crisis.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

At this time, I'd like to ask Tom Hoffman to come forward and say a few words about the purpose of this Coalition, what the strategies and the tactics of the Coalition are going to be in the coming years, and what the purpose of the Action Day is.

We were very successful. This Council was out front on the MOM care legislation which passed the State House and is now enacted into law. This is certainly a much larger battle and it's going to take many more years. This country has been debating national health insurance in the halls of Congress since 1912 and I think the need for a national health care program is long overdue in this country.

Mr. Hoffman:

I'd like to thank City Council for passing this resolution in support of this very important issue. We find it just outrageous that there are 30 million people in this country with no health insurance at all and 50 million people that are at serious risk for any serious illness and they're economically bankrupt.

So, the AFL has made health care reform in this country one of its major topics for the next few years, probably this whole decade. As Jim mentioned, it will take a long time.

In Pittsburgh, we're kicking off our campaign to get Congressional reform of the health care system in this country on October 3rd with a rally and a press conference over at the Federal Building, and I would like to extend an invitation to all the Members of City Council to come to that event. It's at noontime on October 3rd and I'm sure we'll be back asking for your support on other legislation as it develops.

Thank you very much.

The Chair:

Thank you.

Mr. Ricciardi:

I'd like to please Thomas Cush, Jason Abramowicz and Robert Hepner to please come

forward.

Mr. Ricciardi presents

No. 1355 WHEREAS, six athletes of Citiparks Therapeutic Recreation Program/Pittsburgh Goal Getters Team qualified and competed in the 1990 World Games for the Disabled held in Assen, Holland during July; and

WHEREAS, two athletes of Citiparks Therapeutic Recreation Program/Pittsburgh Goal Getters Team qualified and competed in the 1990 Junior National Wheelchair Games in Fort Collins, Colorado during July; and

WHEREAS, the eight athletes begin their qualifying competitions in the Pittsburgh Sports by Ability and represent outstanding accomplishments for elite physically challenged individuals promoting the concept of self-confidence and independence providing an inspiration to the disabled population and a model of success for the Pittsburgh community; and

WHEREAS, the International Athletes received nine gold medals, three silver medals and two bronze medals for a total of 14 of the 21 medals received by the USA team and the National Athletes received 3 gold medals, 9 silver medals, and 1 bronze medal for a total of 13 medals.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh gives recognition to the International Athletes as follows: Robert Miklos competing in swimming - World Record; Suzanne Collet competing in swimming; Thomas Cush competing in track; Debra Gibbons competing in field events; Robert Hepner competing in powerlifting; and Stephanie Sloan competing in swimming; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh also gives recognition to the National Athletes as follows: Jason Abramowicz competing in swimming, and Kelly Timms competing in track.

Mr. Ricciardi moved to adopt the resolution.

Mr. Ferle seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd just like to say that this group of individuals is an inspiration to all of us. They have shown great determination and courage and are excellent role models for all segments of society.

Some of our awardees were unable to cut class this morning. Two of them are at Community College and one is in high school. But we have with us today Thomas Cush who has one gold and one bronze medal in track. Also, if I'm not mistaken, his mother, Mrs. Cush, is here.

Thomas Cush:

I would like to thank City Council for the honor of this proclamation. It was great competing. Thank you.

Mr. Ricciardi:

Thank you, Thomas.

Our next awardee, Robert Hepner, received a bronze medal in powerlifting.

AT THIS POINT, THE FIRE ALARM SOUNDED IN COUNCIL CHAMBERS.

The Chair:

That is a fire alarm.

Michelle Madoff:

Don't worry. It never means anything.

The Chair:

No, sometimes it may. We are going to recess for five minutes and then come back.

Council recessed.

And the time of recessing having expired, Council reconvened the Legislative Meeting.

The Chair:

There was a small fire on the Fourth Floor of the City County Building, which was extinguished. We appreciate all of you coming back and we left off with Mr. Ricciardi and his resolution.

Mr. Ricciardi:

Before I again introduce Robert Hepner who has a bronze medal in powerlifting, I also would like to ask Larry VanBuren to please step forward. Larry is Robert's coach and behind every great powerlifter is a father and a coach. Robert's father is also here today.

Robert Hepner:

Thank you for this resolution.

Mr. VanBuren:

We'd like to thank City Council for their recognition and we'd like to thank the people at

the Exercise Warehouse for their participation and their ability to let us use their facilities. Thank you.

Mr. Ricciardi:

We also have with us our next awardee, Jason Abramowicz who has one one gold medal, four silver and one bronze in the swimming event. Jason is also here with his mother and uncle.

Jason Abramowicz:

I would just like to thank the Mayor and the City of Pittsburgh for letting us use their facilities and for all the work that they have done helping handicapped athletes to be the best that they can be.

Mr. Ricciardi:

Thank you, Jason.

As I said before, these awardees are really an inspiration to all segments of society. This event was a cooperative effort between the City of Pittsburgh and also the private sector, PPG Industries and Oliver Realty. Representing them is Bob Simerick. And also Blue Cross and representing them is Paul O'Palka. They sponsored the reception and on the road many of the expenditures. So, we thank PPG Industries, we thank Oliver Realty, and also Blue Cross. Thank you very much, gentlemen.

The Chair:

Thank you very much.

Mr. Ricciardi:

Our next resolution, if I may please ask our older adults athletes to please step forward, and we thank you for remaining after the fire

alarm. I think we've lost 50 or 60 percent of our older adults but we do have a nice representative figure here today.

Michelle Madoff:

What do you mean, "older adults"? We're in the prime of our lives.

Mr. Ricciardi:

You don't say "senior citizens" though. Older adults is much better. You're either a young adult or a mature adult. Am I correct? Thank you.

If I may, I'd like to ask Michael Senko, the Special Population Program Coordinator and Carl Mancuso, the Assistant Director of Parks and Recreation, to please come forward.

Mr. Ricciardi presents

No. 1356 WHEREAS, 101 senior adults represented Citiparks and the City of Pittsburgh in the Pennsylvania Senior Games at Shippensburg University in categories from 55 to 90 years of age; and

WHEREAS, these athletes competed against 1100 seniors statewide in 19 events displaying outstanding sportsmanship; and

WHEREAS, athletics promotes physical health and mental well being and most importantly promotes and displays a positive image of aging; and

WHEREAS, their participation in the Citiparks Senior Center Program contributes to the general health of and image of a caring City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh gives recognition to the competition of

the senior adults who as a whole received 74 gold medals, 37 silver medals, and 45 bronze medals for a total of 156 medals.

Mr. Ricciardi moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to ask Carl Mancuso if he would please say a few words for the Department of Parks and Recreation.

Michelle Madoff:

Carl, did you run?

Mr. Mancuso:

No, luckily I only helped them run the events. I can't even compete with these Seniors. They are a fantastic group. Very competitive.

All I can say is that Citiparks and the City as a whole can be proud of the Seniors of this City. They represent the best of what City residents can be. And when they come out and they go places together, they show a tremendous amount of loyalty to the City. They wear their Citiparks color and they do things en masse. It is a tremendous representation of the City. They were the first group when the Shippensburg Games started to begin to show that kind of team spirit and I think it's one of the things that helps to make this City great.

We thank City Council and, of course, the Mayor for the support that we've been able to lend to the Seniors. But most of all, we thank the Seniors for their participation in our events. Thank you.

Mr. Ricciardi:

Now I'd like to ask Michael Senko, our Special Population Program Coordinator, to please come up, say a few words, and introduce our two representatives today that will speak.

Mr. Senko:

I think your resolution says it all and I'd just like to introduce Ray Blatz and Betty Jones who will accept the resolutions on behalf of all the Seniors.

The other two people that have joined us today are Ray Fisher, Center Director Ed Greenfield, and Joe Rogers, the Center Director from Sheraden. Joe has accompanied the group all ten years going to Shippensburg.

Mr. Blatz:

I'd like to thank Council for recognitions of the talents of the Seniors on behalf of my center which is on the North Side and the people who represented the Seniors in the Pennsylvania State Games. Thank you.

Ma. Jones:

I just would like to say that it was my pleasure to be involved in this. This is my first year and I look forward to many more. And I'd like to invite Michelle to join us too. I'm with the Hazelwood Center and, again, I want to thank you for the opportunity to be involved in this. I didn't know I could do the things that I did, but I think campaigning over the years for people for City Council gave me a little boot camp training. Thank you.

Mr. Cohen presents

No. 1328 Resolution providing for the issuance of a warrant in favor of the Stadium

Authority in the amount of \$1,748,204.00 for Various Capital Improvements; and providing for the payment thereof, charging the same to Code Account 4-13-10-0241-89, Index Code #353649.

Which was read and referred to the Committee on Finance.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bill only until or after the 7th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1329 Resolution further amending Resolution No. 1049, effective January 1, 1990, as amended, entitled, "Resolution adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program" by creating a new line item (EC89-85 Stadium Authority Capital Improvements).

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presents

No. 1330 Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Eight Thousand Three Hundred Sixty-One and 48/100 (\$8,361.48) Dollars, in favor of C&C Marine Maintenance Company, Clifford Crain, President, for payment for repairs in 1988 to the Quarter Boat Barge necessary to ensure its duration through the winter months, and providing

for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Darkins presents

No. 1331 Resolution providing for the issuance of a warrant in favor of Acme Clay Products in the amount of Three Thousand Eight Hundred Ninety Four (\$3,894.00) Dollars, in payment for street paving brick, chargeable to and payable from Code Account PW 89, 3-01-35-0001-90, Capital Construction Division, Index Code 801209.

Also,

No. 1332 Resolution transferring the amount of Twenty Five Thousand (\$25,000.00) Dollars from Code Account 1612-1, Repairs, Index Code 161216 to Code Account 1150, Repairs, Index Code 115006.

Which were read and referred to the Committee on Finance.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 7th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1333 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Selectron Truck Scale Ticketing and Data Base System with Multi-User Capability for the Asphalt Division, and providing for the payment of the cost

thereof in the amount of \$15,000.00, chargeable to and payable from Code Account Asphalt Reimbursement Trust Fund, Index No. 250100.

Also,

No. 1334 Resolution providing for a Contract or Contracts, or the use of existing Contracts for flexible beam guiderails at various locations within the City of Pittsburgh and providing for the payment of the cost thereof in the amount of \$75,000.00, chargeable to and payable from Code Account PW 37-3-01-30-0020-90, Index No. 801-753, Flexible Guardrails.

Which were read and referred to the Committee on Public Works

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 7th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1335 Resolution providing for the issuance of a warrant in favor of L.B. Foster Company, in the amount of Nine Thousand Five Hundred and Fifty Seven Dollars and Fifty Cents (\$9,557.50), in payment for emergency replacement of aluminum railing on the Larimar Avenue Bridge, without previous authority of law; chargeable to and payable from Code Account PW-89, Capital Construction, 3-01-35-0001-90, Index Code 801209. Interim approval was granted March 16, 1990.

Which was read and referred to the Committee on Finance.

Also,

No. 1336 Resolution granting unto the Sheraden Community Council, 720 Sherwood Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) bulletin board signs in the radius between Hillsboro Street and Sheraden Boulevard in the Twentieth Ward, Second Voting District of the City of Pittsburgh.

Also,

No. 1337 Resolution granting unto Robert John Kader, 330 Mathews Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense a garage on a portion of the right-of-way of Loran Way in the 30th Ward, 3rd District of the City of Pittsburgh.

Also,

No. 1338 Resolution granting unto Frenchy's Restaurant, 136 Sixth Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense an awning with sidewalk posts on a portion of the sidewalk of Sixth Street in the Second Ward, Sixth District of the City of Pittsburgh.

Also,

No. 1339 Resolution granting unto Pennsylvania American Water Company, 410 Cooke Lane, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a remote operated control valve vault in the right-of-way of Brook Street, Twenty-ninth Ward, Fourth District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presents

No. 1340 Communication for Councilman Jim Ferlo requesting permission for his Administrative Assistant, Irene McLaughlin, to attend a mediation training workshop in Pittsburgh, PA at the East Liberty Branch of the Carnegie Library on Thursday evenings beginning August 30th through November 8, 1990, at a cost not to exceed \$125.00, chargeable to and payable from Code Account 1001-3, Education and Training, City Council.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 7th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 1341 Resolution transferring the amount of \$1,748,000.00 from Code Account 53-1, Index Code (005314), Debt Service - Stadium Authority of Pittsburgh to various departmental accounts within the City of Pittsburgh.

Also,

No. 1342 Resolution providing for the issuance of a \$1,140.68 warrant in favor of Mary and Malachy Reddy in settlement of claim for vehicle damage, charging same to Code Account No. 46, Judgments, Index Code No. 004606.

Which were read and referred to the Committee on Finance.

Mr. Millones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 7th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1343 Resolution providing for the issuance of a \$1,337.60 warrant in favor of Belva Cathcart in settlement of claim for automobile damage, charging same to Code Account No. 46, Judgments.

Also,

No. 1344 Resolution providing for the issuance of a \$900.00 warrant in favor of John Arthur and Sophie Fuhs for sidewalk damage due to City Tree roots, charging same to Code Account No. 46, Judgments.

Also,

No. 1345 Resolution providing for the issuance of a \$1,483.18 warrant in favor of Duquesne Light Company in settlement of claim for property damage, charging same to Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

The Chair presents

No. 1346 Communication from Tom Flaherty, City Controller, submitting a fiscal

audit of the Bureau of Police, Tow Pound, Department of Public Safety.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 1224 Resolution appointing Ralph Proctor to the Human Relations Commission for a term effective immediately and to expire July, 1991.

Which was read.

Michelle Madoff:

I don't know him. Is he going to come to Council?

The Chair:

He was in front of Council last week.

Mr. Ferlo:

I just want to thank the Mayor for making another great appointment to the Human Relations Commission.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pre'st)

AYES 9 NOES none

And a majority of the votes of Council being in the majority, the appointment of Mr. Proctor was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1347

Report of the Committee on Finance for September 5, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1242

A Resolution entitled, "Resolution providing for the issuance of a warrant to Bernard Klionsky in the amount of \$800.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pre'st)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1316

A Resolution entitled, "Resolution transferring the sum of \$15,000.00, fifteen thousand dollars, from Code Account 1049, Index code 104901, Supplies, \$7,500.00 and from Code Account 1051, Index Code 105106, Equipment, \$7,500.00 Office of the City Controller, to Code Account 1052-9, Index Code 105296, Workers' Compensation, Office of the City Controller."

Which was read.

Also,

Bill No. 1317

A Resolution entitled, "Resolution amending Resolution No. 740 of 1990 entitled 'Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA); providing for the execution of a Grant Contract and for the filing of requisi-

tions and other data; approving EDWAAA; providing for subcontractor agreements and providing for required assurances' by increasing the amount available for subcontractor agreements by \$66,000.00."

Which was read.

Also,

Bill No. 1318

A Resolution entitled, "Resolution amending Resolution No. 732 of 1990 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof' by increasing the amount available to subcontractor agreements by \$778,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1348

Report of the Committee on Public Works for September 5, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1282

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Ellsworth Plaza."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1283

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for Fineview Crest."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 1349

Report of the Committee on Parks and Recreation for September 5, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1208

A Resolution entitled, "Resolution providing for an agreement or agreements with the City Theatre Company, Inc., for furnishing professional services for the benefit of the residents of the City of Pittsburgh during 1990 and providing for payment of the cost thereof which is not to exceed TWENTY FIVE THOUSAND AND ONE HUNDRED (\$25,100.00) Dollars which shall be chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Recreation, in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1350

Report of the Committee on Public Safety for September 5, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1323

An Ordinance entitled, "An Ordinance supplementing Ordinance No. 14, passed in Council July 3, 1990, entitled, 'An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Chapter 606 River Safety - Boating,' by adding Section 606.10 (a) Effective Dates. Effective Date May 1, 1991. --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

I'd like my remarks brought forward for the Record, please.

(REMARKS ON FOLLOWING PAGE)

(MR. WAGNER'S COMMENTS ON BILL NO. 1323-Wednesday, 9/5/90)

Mr. Wagner:

Mr. Chairman, members of Council, I appreciate the support of this original bill. And since that time, as you all have, I am sure, read, there has been some disagreement and will be some possible legal action taken between the City of Pittsburgh and the Commonwealth of Pennsylvania. The reason being is that the Fish Commission disagrees that the City of Pittsburgh has any legal jurisdiction to enforce or regulate safety on the Pittsburgh rivers. We in the City of Pittsburgh to some degree differ, and in other areas understand that there are certain types of legislation that should be uniform throughout the Commonwealth.

What this ordinance with this change or amendment in the ordinance does, is since the boating season is practically over in the City of Pittsburgh, it gives the Fish Commission and Commonwealth time to adopt similar regulations during a time phase that this ordinance would not be in effect, between now and May 1, 1991. I have received from the Executive Director of the Fish Commission a written commitment, and I have a copy of that letter, for them to prepare draft changes to the boating regulations applicable to the Three Rivers and under the advisement of the piece of legislation that this Council passed.

So what I am asking all of you to do is to accept an implementation date of our previous legislation nine months into the future, so during the interim time period the Fish Commission and the Commonwealth of Pennsylvania can adopt similar regulations that would be applicable probably statewide and not just in the City of Pittsburgh, and during the interim we would eliminate a legal battle or conflict that would certainly occur.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1351

Report of the Committee on Engineering and Construction for September 5, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with a NEGATIVE recommendation,

Bill No. 1113

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Carriage House Children's Center, Inc. for Various Accessibility Improvements at Wightman School Community Building; and provid-

ing for the payment of the costs thereof."

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on this bill, please.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NO. 1113-Wednesday 9/5/90)

Mr. Cohen:

Director, you have discussed this bill before, the last time it came up. I have a few questions for you.

First, what was the origin of this federal funding? Where did this money come from?

Ms. Downing:

It is community development block grant funds that have been allocated to a line item called "Public Building Accessibility" since 1979, I believe. It is a portion of the CD budget that Council has approved each year since 1979. The amounts have varied over the years.

Mr. Cohen:

There are no city taxpayer's money involved here; is that right?

Ms. Downing:

That's right.

Mr. Cohen:

Can you explain the process by which Wightman School was designated and who designated it?

Ms. Downing:

The Accessibility Committee was formed in 1975 to advise the city on expenditures of funds to make buildings and areas accessible for those with physical disabilities. We have done it primarily through programs, one is the building accessibility line item, the other is handicapped ramps, and they advised us on locations and priorities for that spending.

Since the inception of the program for building accessibility line item, over \$2.4 million has been allocated. They have helped prioritize that funding each year. They work with a city department and discussed ideas that are brought up.

In the case of Wightman School, the committee was approached by the Carriage House for a grant to help make that building accessible, so that is how the request actually got before the committee. The committee deliberated and made a favorable recommendation. The department that actually handles the contracts is the Engineering and Construction Department, so they were instructed to prepare legislation which came through your committee.

Mr. Cohen:

Do you know what some of the factors were that went into their decision for designating this spot, this location?

Ms. Downing:

From the course of the discussion, the activities that are currently going on at the Center, particularly on the second and third floor, are not available to those with physical disabilities. But those spaces are rented out to a variety of clubs and variety of groups. And because the building is not accessible, those activities in particular are not available to those with physical disabilities.

A second issue arose, in that the city's Therapeutic Recreation Program, which is a city-wide program open to all with physical disabilities, is located across the street in what is called "Wightman School Annex." There was discussion about whether there were possible linkages between that program and activities in this school, and there was some discussion about were the facilities to be accessible, that there could be some linkage, and it is not at the moment. The committee's real concern was that the building continue to be used for public functions if money were to be allocated.

Mr. Cohen:

That is in the deed, is it not, that it has to be a community service facility?

Ms. Downing:

I believe that's right.

Mr. Cohen:

In the Office of Special Populations, the people, the handicapped people who come to that office and use the park and other facilities, are they open to all the people in the city, all handicapped people in the city who are eligible, or just a particular area?

Ms. Downing:

It is my understanding it is a city-wide program, it is the office of Therapeutic Recreation, and activities happen there at the building. The playground itself below the building is accessible, but I believe they also coordinate other activities off-site.

(DELETED TEXT.)

Mr. Cohen:

I understand and appreciate what a number of people are saying here, and we may need -- certainly the City-County Building and other public buildings should be priority buildings. But the question in my mind with respect to this and whether this is a worthy project, in my mind it is, that this Wightman School Building is a community service building used by numerous community groups, and as important if not more than, is its location, which it is across the street from the Office of Special Populations where hundreds of handicapped people go. Those aren't handicapped people from any particular neighborhood, and they are from all over the city. And to make Wightman School Building handicapped accessible is going to cost somewhere in the range of \$300,000.00; this is \$100,000.00 of it. My understanding is this money couldn't even be spent until the Carriage House raises the additional money, so this is really to help them along to make it handicapped accessible because of its particular situation as a community service building and as a building that can be used that we know can be used by hundreds and hundreds of handicapped people who go to the Office of Special Populations.

So I certainly understand and appreciate that you may -- that the City-County Building and other public buildings need priority, but I think this one needs priority, too, because it is a community service facility, essentially a publicly used building.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Mr. Cohen:

Mr. President, I move to table that bill, Bill 1113.

Mr. Ferlo seconded the motion.

Michelle Madoff:

I think it's unfortunate, the perception of what happened is not the reality. It was creative financing. I would love to see every group be as creative to save the City taxpayers money, not have to go to the foundations that help the needy like United Way. The group is being punished and being perceived as being greedy and I think it's unfortunate. I think the right thing to do is to table it and hope that we can work out our differences.

The Chair:

All those in favor of tabling the bill signify by saying aye. Those opposed?

WHICH MOTION PREVAILED.

Also, with an affirmative recommendation,

Bill No. 1277

A Resolution entitled, "Resolution amending Resolution No. 344, effective April 21, 1989, entitled 'Providing for a contract or contracts, or use of existing contracts, for the Rehabilitation of No. 1 Fire Station; and providing for the payment of the cost thereof,' by amending the title to read 'Rehabilitation of Various Public Safety Facilities,' and by increasing the total project allocation by \$475,000.00, from \$300,000.00 to \$775,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTION

Michelle Madoff:

Mr. President, I would like to call attention to what I perceive to be a very serious problem, and I see we have someone here from the Law Department. I'd like to talk about the problem and then see where we ought to proceed.

All of us, from time to time, have had phone calls to our homes offering to sell us, it's usually a tape, very seldom is there somebody there, and it's usually a boiler room operation calling. Somebody called me yesterday to offer me a trip to Bermuda and to Florida and whatever and if I'd only call this number right away I could get this trip.

Normally I would just hang up but I was just curious to see who, what, where and when. I

called and it was a boiler room operation. I was referred by a trained monkey who had rehearsed her speech to a supervisor and from the supervisor to a sales agent. My question was, "Who owns your company?" "Oh, there are a bunch of little private investors."

Well, the problem, you see, is that in this particular instance, it doesn't cost anything except that my line was tied up for 12 hours this week because I, like many people, have call waiting. And if you hang up on the call waiting and it doesn't disconnect, it will frequently cause havoc with your telephone.

Similarly, I've had phone calls from companies based right here in Pittsburgh and I know some of the owners and I've talked to the Telephone Company about it. They call and say, "How would you like to be in a lottery to win a great big massive television screen and projector? It doesn't cost you anything. All you have to do is call this number and put your name in, but there's a charge of \$5.00 for your telephone call."

Now, a lot of senior citizens, a lot of people who don't know exactly what is happening, you get a phone number and they repeat the number five times and say, "Don't forget, call immediately." And they don't realize that they are being charged a fee.

Secondly, my understanding of the law is that the reason when you get a lottery to your home that says that you do not have to buy anything, the reason they say that is because that's the only way you can do it legally. But when they say you don't have to buy anything to join this lottery to win a television, but says that the call is \$5.00, that's buying something, from my perspective.

I would like to see some interference or some interaction between the City taking some

action through the District Attorney's Office, because I've already initially spoken to them and I think we have good cause. If not, I'm going to hire an attorney. It is very easy to find out who the owners are by virtue of disclosure in a law suit. If I have to go to small claims court --

I feel I'm being damaged. I know there are other people who have taken action against this kind of interference into your home, and the thing is that, really and truly, you cannot hang up on these people. If you have to call a doctor and I'm talking to somebody on Council and say, "Excuse me, I have to hang up." But when you have call waiting, you cannot hang up on that call. Or if you have the only line and they call, you hang up but they go through their taped message. You cannot get the use of your own telephone line. That's an invasion of privacy. It's taking time away from your own privileges or whatever services you paid for and something must be done about it.

And I'm hoping that the Law Department as representatives, that they will check it out, speak to the District Attorney, to Mr. Colville. I've spoken to Chris Copetas. Let's get something happening. I know that there's legislation working its way through Washington but, unfortunately, the Federal Trade Commerce, as this man haughtily told me, that, "With the Federal Trade Commission we can make calls in any state we want to make them, lady, and if you don't like it, that's tough." Well, I don't like it and I think we need to do something about it. Thank you.

The Chair:

We can tell you're feeling well again, Michelle.

Mr. Regan:

Imagine if she wrapped the other leg.

Mr. Ferlo:

Mr. Chairman, on another matter. Over a year and a half ago I raised to Council and to Mayor Masloff, and she had responded by indicating that she would investigate the matter and she actually sounded sympathetic to the suggestion. This regards the problem of garbage pickup, specifically garbage pickup throughout the City.

In certain areas of the City where, as many of us know, the garbage is not picked up for two weeks at a time due to certain holidays. I believe there are about seven holidays throughout the City. Public Works recently in this past year rotated the neighborhoods that are affected by the holiday pickup, but that's just rotating the problem.

I've always felt very strongly that it is a significant problem. It's a problem especially during the summer months with garbage being strewn all over the place, dogs and cats getting into it. One problem after another.

It is a significant amount of money in the City budget in order for us to do this, to guarantee pickup at all times, but I raised the idea of having a 10 hour a day, 4 day work week for those weeks throughout the year that the holidays take place.

The real issue I'm raising at this time is that for at least two years now, there has not been a negotiated contract with the employees in Environmental Services who do the rubbish removal and the garbage pickup. So, I'm actually asking openly to the Administration one, what is the status of this ongoing situation regarding the lack of a contract. And secondly, if there are negotiations presently for a contract, could they please again raise the issue of garbage pickup so

that we can guarantee quality, weekly, regular garbage pick up for every neighborhood throughout the City and not have certain neighborhoods be without regular garbage pickup.

The Chair:

Mr. Ferlo, you're right. I don't think they ever did respond back to the suggestion of four 10-hour days.

I would ask that we follow up that letter with a request for that information.

Mr. Ferlo:

Thank you, Mr. President.

Michelle Madoff:

And as I asked earlier, would the President of Council please follow up with the Administration. We've written a letter as to whether the tokens for the vending machines are going to be a reality. If not, let's get on with our existing bill and what impact would that have on the City so we know when to bring it up. It's being held, as you know, until next Wednesday.

The Chair:

Thank you.

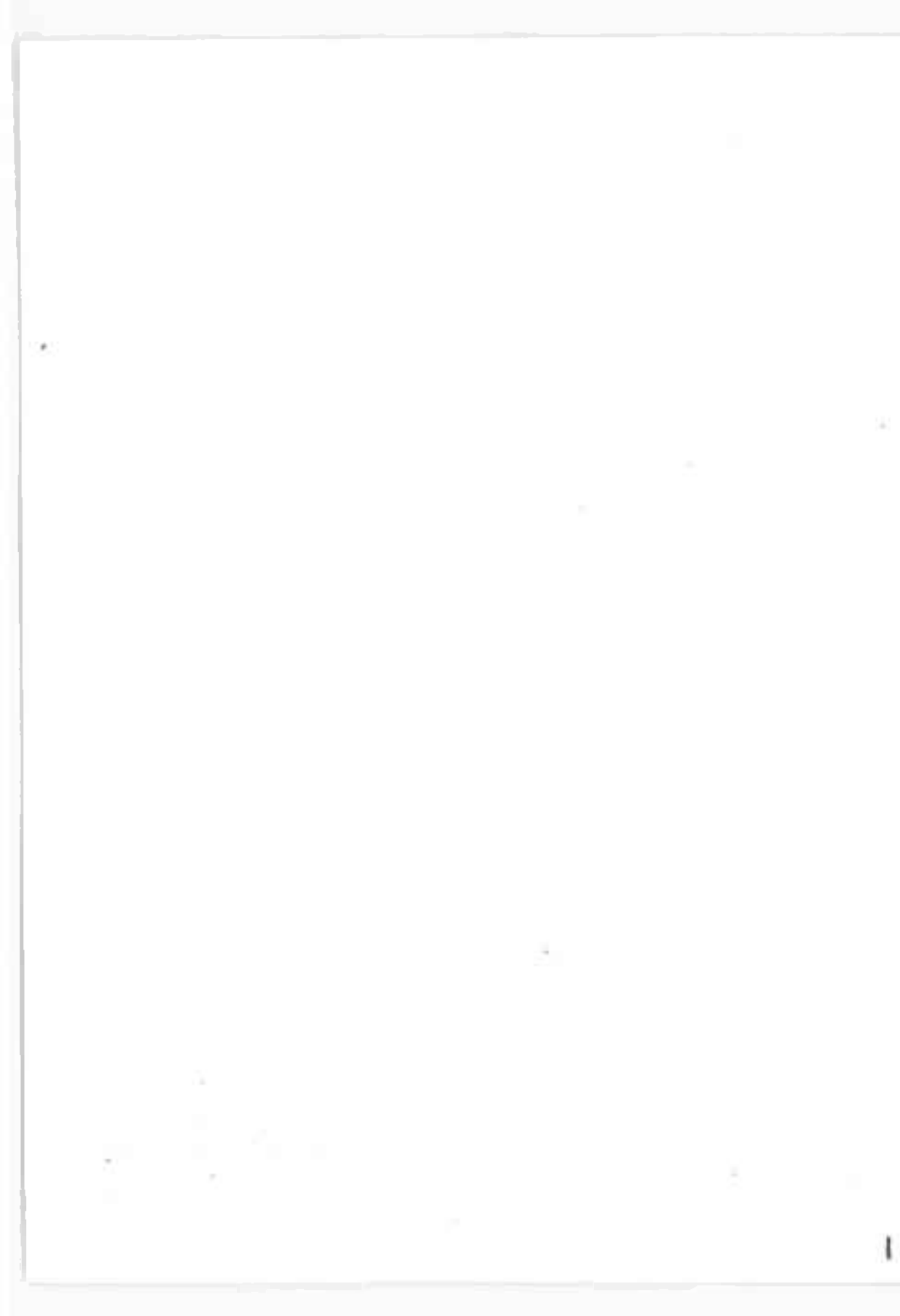
Mr. Ferlo moved to approve the Minutes of Wednesday, September 5, 1990.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Regan

Council adjourned.



MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, September 18, 1990

No. 36

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, September 18, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo for Mr. Darkins presents

No. 1380 WHEREAS, the works of world renowned artist and educator, Dr. Selma H. Burke, will be exhibited from September 16 - October 27, 1990 at the Kingsley Association; and

WHEREAS, Dr. Burke will greet visitors at the opening reception on September 16, beginning at 4:00 p.m.; and

WHEREAS, Dr. Burke designed the bust of Franklin D. Roosevelt that appears on the Roosevelt dime; and

WHEREAS, in 1986 Dr. Burke established the Selma Burke Arts Center, now known as the Kingsley Association, and founded the Selma Burke School of Sculpture in New York City; and

WHEREAS, her work has been exhibited extensively in the United States and Europe and has been displayed at prominent institutions such as the Museum of Modern Art, the Carnegie Institute and the Los Angeles Museum; and

WHEREAS, Dr. Burke has received numerous awards and recognition for her contributions to the creative arts including the 1986 University of Pittsburgh's Bicentennial Medalion, and in 1979 Dr. Burke was one of five

women artists honored by President Carter; and

WHEREAS, Dr. Burke taught at Haverford, Livingstone and Swathmore Colleges and served as teacher-demonstrator for the Pittsburgh Board of Education and presently teaches a master level course at Johnson C. Smith College in North Carolina; and

WHEREAS, Dr. Burke received formal training in the United States and Europe, studying under such Masters as Maillol, Povolney and Matisse; and

WHEREAS, at the age of 89, Dr. Burke continues to sculpt and paint while working on her writings of children's reading materials.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pierians, Inc., the Kingsley Association and the Manchester Craftsmen's Guild for working cooperatively to bring Dr. Selma H. Burke and her exhibitions to the City of Pittsburgh.

AND BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes Dr. Selma Hortence Burke as an outstanding artist who has contributed immeasurably to the American culture.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presents

No. 1381 WHEREAS, Maida Springer Kemp began her career as a trade union representative in 1933; and

WHEREAS, Maida Springer Kemp

worked her way through the ranks of the AFL-CIO Labor Union to become the International Representative for Africa in the AFL-CIO Department of Internal Affairs; and

WHEREAS, Maida Springer Kemp traveled extensively throughout Africa, interacting with people from all walks of life, helping to develop their skills; and

WHEREAS, it is through Maida Springer Kemp's long term commitment that the United African Association honors Maida Springer Kemp for her more than five decades of dedicated service to the African people in North America and Africa.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join with the United African Association Inc. in recognizing Maida Springer Kemp as a pioneer for justice and fairness with trade unions; and

BE IT FURTHER RESOLVED, that the Council does hereby proclaim September 15, 1990 as Maida Springer Kemp Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo for Mr. Darkins presents

No. 1382 WHEREAS, Mulgetta Birru, Executive Director for the Homewood-Brush-ton Revitalization and Development Corporation, has contributed unselfishly to the community and its growth, serving as an inspiration and visionary to the community and its residents; and

WHEREAS, under his creative leadership, the community has witnessed additional growth in housing, business, and increased funds for economic development; and

WHEREAS, because of Mulgetta Birru's long term commitment and dedication to the Homewood-Brushton community, the United African Association Inc. proudly recognizes him as a steward who has brought about increased growth and development to the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim September 15, 1990 as Mulgetta Birru Day in the City of Pittsburgh in recognition of the contributions he has made to his community and to the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Those three resolutions are read into the Record. Councilman Darkins will be joining us in a little while and he will present the fourth resolution.

Mr. Milllones:

Will a member of the Powe family, the Austin, Collins, family come forward, please?

This resolution hopefully will inspire other families in Pittsburgh, not just Black families but all families, but Black families in particular, to participate in family reunions because we think that the family, indeed, in the backbone of the community.

Mr. Milllones presents

No. 1383 **WHEREAS**, Sheila Tharp Austin and Valarie Jones Collins, two of the Powe family grandchildren, were saying how much they would like to know their grandparents the way other grandchildren do; and

WHEREAS, that thought came alive when three other Powe family grandchildren, Willo Clark Thomas, Gloria Torrence Rucks, and Brenda Tharp Thompson, believed from a famous quotation that they had a "DREAM" to establish togetherness among their numerous relatives and to have something that would last through the ages; and

WHEREAS, after the early death of his wife Martha Ann, Jack Powe was left to care for his seven sons and one daughter in Bucatunna, Mississippi; and

WHEREAS, as each child became of age, each one left to earn a living elsewhere, obtain employment and send for the next one; and

WHEREAS, Ulysses served in the First World War and made his home in Detroit, Michigan; Charleston helped to educate his brother and sister, Chester and Willa, who graduated from college and became author/playwriters and educators respectively; and Augustus and Arthur decided to both settle in Pittsburgh; and

WHEREAS, after living several years in Mobile, Alabama with his wife, Mary Francis Kemp, Augustus was inspired to move the family to Pittsburgh where the extended family lived together in a big house on Elba Street; and

WHEREAS, this close-knit household consisting of grandparents, mother, father, sisters, brothers, aunts, uncles, and cousins, was an

environment of high moral standards and Christian behavior.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh offers its ovation to the Pittsburgh Powe family, an African-American family whose journey from Bucatunna, via Mobile, to Pittsburgh has brought forth to our attention what a precious treasure God created when He planned the human family.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Ms. Austin:

Good morning. The Powe family feels very honored today to be a part of the record of Pittsburgh. Our family moved from Mobile, Alabama, Mississippi, during the First World War. They came here in search of jobs that were advertised in the Southern newspapers.

My father was very proud of Pittsburgh and I want to thank City Council and Councilman Milliones for his part in our being recognized today. Thank you.

The Chair:

Thank you.

Mr. Regan:

I'd like to ask Director Cannon to come up here, Chief Kennedy and our medical staff. Would you all please come up here?

This has to be the best dressed, finest outfit in the United States. Let's give them a nice big hand before they even get a resolution.

Mr. Regan presents

No. 1384 WHEREAS, the members of the Pittsburgh Emergency Medical Services Team devote their lives to saving the lives of others; and

WHEREAS, Emergency Medical Teams consist of paramedics, emergency physicians, nurses, first responders, educators and administrators; and

WHEREAS, the people of Pittsburgh benefit daily from the knowledge and skills of these trained individuals; and

WHEREAS, advances in emergency medical care increase the number of lives saved every day; and

WHEREAS, the professional organization of providers of Emergency Medical Services promote research to improve emergency medical care; and

WHEREAS, the designation of Emergency Medical Services Week will serve to educate the people of Pittsburgh, Pennsylvania about accident prevention and what to do when confronted with a medical emergency; and

WHEREAS, it is especially appropriate to recognize the value and the accomplishments of Pittsburgh's Emergency Medical Services Team in this, their fifteenth year of meritorious service to the citizens of Pittsburgh, by designating Emergency Medical Services Week; and

NOW, THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council do hereby recognize and proclaim the week of September 16-22, 1990 as Emergency Medical Services Week in the City of Pittsburgh and encourage the community to observe this

week with appropriate programs, ceremonies and activities. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Director Cannon:

Thank you. Along with this EMS Week, I think the added joy to this celebration is that it's also the 15 year anniversary of the beginning of the paramedic service here in the City of Pittsburgh. Some of you may recall those very early days when federal job funds were used to start the Paramedic Training Program. CETA dollars, they were called at that time.

The paramedic program in Pittsburgh is an outstanding example nationally of the use of those funds in the appropriate manner to create jobs for people that have turned into permanent careers and I think we all realize how successful that effort has been in terms of the quality of the service that these people provide. It truly is recognized not only nationally, but internationally, as one of the finest emergency medical service programs in the world, and it's one of those other things that makes Pittsburgh a special place to be.

I'd like to introduce Chief Bob Kennedy for a few remarks.

Chief Kennedy:

Thank you, Director, Councilman Regan, Council President Wagner, and Members of Council. I'd like to thank you on behalf of the 180 paramedics, the men and women who provide the pre-hospital care to Pittsburgh.

In particular, there's a group of 23 who have been with us since the beginning of our service in 1975, and that's quite an accomplishment.

If you've been here 15 years, I'd like to give you some numbers of what the Paramedics have done in 15 years.

- We began service on August 25, 1975. I was very fortunate to be chosen by then-Director Cannon to be on that first crew, and we had two calls that first shift on August 25th.

- We had 4 ambulances and 40 personnel.

- We added a rescue service to the City in 1977.

- We became a City department in 1978.

- We have responded to over 800,000 calls for service since we began, and hopefully there's a commensurate amount of citizens still with us because of our efforts.

- The total miles we've put on our vehicles exceeds 7.5 million.

- We have participated in 10,000 cardiac arrests, and that's really what we're in the business of doing - resuscitating people who would otherwise not be with us.

I think a nice thing to being a paramedic, it's not the easiest job, you're confronted with life and death situations, often times death, but the most pleasurable thing a paramedic can do, I think, is deliver a new life. We've done that around 490 times. So, that's 490 new citizens of the City of Pittsburgh that we helped bring in.

Today we respond to approximately 62,000 calls a year and I would like to thank Council for their continued support of our program. And please keep that in mind in November when I'm sitting here and you're asking me a bunch of questions. Thank you very much.

Mr. Regan:

I'd just like to say that we're all proud of you and I'm especially thrilled to death of how good you look. You really make the City of Pittsburgh look good and the next time we have you in here, Director Cannon and I are going to wear our uniforms. I'm going to get one myself to look that good. The City of Pittsburgh is very proud of you.

The Chair presents

No. 1385 WHEREAS, the American Ceramic Society was conceived in 1898 at the site of the old Monongahela House Hotel in Downtown Pittsburgh, by Edward Orton, Jr., who founded the first technical university program in ceramics in the United States at the Ohio State University to promote the arts and sciences connected with ceramics; and

WHEREAS, because of its vast resources of clay and sand, and its important part in the history and industry of steelmaking, Pittsburgh and western Pennsylvania have had a leading hand in the ceramics industry; and

WHEREAS, the Pittsburgh section is the first, oldest and largest in the American Ceramic Society with more than 20 percent of its charter members being Pittsburgh natives or later developing ties to Pittsburgh; and

WHEREAS, the American Ceramic Society, with its 14,000 members in 82 nations, has developed into one of the world's leading scientific organizations and, through its publications, meetings and numerous services, has made contributions of world wide significance to technology, industry and the betterment of mankind.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and recognize the

American Ceramic Society for its many contributions to mankind and declares September 16 through September 22, 1990 as "American Ceramic Society Week" in the City of Pittsburgh.

Mr. Milllones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair presents

No. 1386 WHEREAS, the City of Pittsburgh is the hub of southwestern Pennsylvania in terms of business, educational, cultural and recreational activities; and

WHEREAS, the City of Pittsburgh and its quality of life has been recognized nationally by numerous awards as one of the best places to live and work in the United States; and

WHEREAS, the City of Pittsburgh recognizes the need to take advantage of the many new international business, educational and cultural opportunities created by the dramatic changes in Eastern Europe and in the global economy; and

WHEREAS, the City of Pittsburgh realizes that in order to take full advantage of these world-wide opportunities, the establishment of a world trade center in the City of Pittsburgh is essential.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to inform the World Trade Center Association, Incorporated, of its desire to have a comprehensive world trade center established within the confines of the City of Pittsburgh and pledges its wholehearted support in making a world trade center in the City a reality.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

I'd just like to add to that, and I asked Mr. Perry to read it in its entirety, that resolution has been supported by all of you prior to today. It has been forwarded to the World Trade Center and we are right now actively seeking a location in the City of Pittsburgh, and hopefully that will happen.

There are also some personal communications going on and hopefully they will be fruitful. Thank you.

We now have a special presentation by Councilwoman Madoff.

Michelle Madoff:

I'd like to ask Mr. Herman Watson, the Chairman of Westgate Community Development Corporation, Lutual Love, Executive Director, and Jeff Thomas, Project Coordinator, to please step forward.

This was supposed to be a surprise for Baldy, but the President blew it.

I want to read a letter that I wrote to Mr. Baldy Regan on September 12th.

"Dear Baldy:

During my recent surgery, hospital stay and recovery, I received many generous gifts from a variety of people. But of all of those that I received, nothing touched me more than the \$1000 check you made out to me for the people of Westgate.

Baldy, you understand the need this community has. You honor me when you help them.

As you would say, only in America could you find someone with a heart as big as yours.

Thank you again, Baldy, and I assure you that this contribution will be put to good use."

I'm sorry. I'm very touched by this. I'm sorry, everybody. I'm still emotional.

Mr. Watson:

My name is Herman Watson, Chairman of the Board of the Westside Community Development Corporation.

Over the past years, we've had a major struggle in the West End, overcoming drugs, overcoming different elements that kept our people in the West Side that was better known as the "Unknown Community" of the City of Pittsburgh.

Older Members of Council, Jim Ferlo, President Wagner and Jake Milliones, have come to our community and visited us several times. Michelle has been a great champion of our cause and we can only say that this thousand dollars will go far to helping us achieve our major goals. And it only shows that in the City of Pittsburgh there is a chance, if you stay bent on the way that you want to make things happen and stay true to your cause.

We really thank you very much from the bottom of our hearts for this donation. Thank you.

Mr. Thomas:

Good morning, Mr. President and Members of Council. I'd just like to add a further note on that. West Gate Community is a community populated by poor African-Americans, predominantly female, single-parents. The conditions in which they live are the most deplorable in the City. If one was to leisurely walk through the community, you would get the sense that there has been an implosion.

The physical structure of every community is in need of great repair. The people are suffering from a deprived state of despair. It is a community that needs your investment, an investment that should go beyond politics, an investment that should go beyond personalities, an investment that should go towards building better lives for 3,000 innate persons.

I hope that this thousand dollars is the first step in investing in a community that is actually the forgotten place. I trust that you will look kindly upon the African-American community of Westgate and come to its rescue, not only with your dollars but with the weight of your political office. Thank you.

Mr. Love:

Very shortly, I would like to say thank you to Councilman Baldy Regan for the thousand, and thank you to the City Council in whole for the past support, recent past support and so forth that you have been rendering to the Fairywood community.

I only hope that the funds that were unable to reach the community for the purpose of the commercial social center will be reconsidered in this year's budget for 1991. We'll be testifying tonight in front of the City Planning Commission asking them for further support. Now I'm talking about the \$75,000 and that you

gracefully try to come up with the \$20,000.

I only can say that in the past year Fairywood community has been very much supported by Council and that we thank you for that and we hope and pray for your continued support. Thank you.

The Chair:

We have one final resolution to be presented by Councilman Darkins.

Mr. Darkins presents

No. 1387 WHEREAS, on September 23, 1990, the City of Pittsburgh along with 273 other major cities and 41 countries will hold a candlelight vigil for children; and

WHEREAS, the candlelight vigil is taking place to bring regional, national and global attention to the unmet needs of children; and

WHEREAS, 40,000 children die worldwide every day from malnutrition and disease and the majority of these deaths are preventable; and

WHEREAS, U.S. child poverty, infant mortality and school achievement are among the worst of all industrialized countries, with 40,000 children dying in this country every year; and

WHEREAS, citizens are concerned about the health, education and welfare of children everywhere; and

WHEREAS, leaders from six countries have called for a "World Summit For Children" to be held in New York City from September 29-30, 1990 to address the pressing needs of children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins with the Thomas Merton Center in their determination to raise public awareness about the unmet needs of children; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim the week of September 23-30, 1990 as "World Summit For Children Week".

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. McClendon:

Thank you. On behalf of the Thomas Merton Center and the Planning Committee for the U.N. Summit On Children and the Children's Vigil which will be held here in Pittsburgh on Sunday, September 23rd.

My name is Lois McClendon and my colleague, Jonathan Search, and we'd like to thank City Council for this proclamation.

I'd like to leave you with some statistics on one day in the lives of children here in the United States so when we think about the U.N. Summit On Children, let us think about what is happening here in this country and hope that President Bush, when he goes to the U.N. Summit On Children, will consider that all the money that has been going towards our national security, like \$1.9 trillion since 1980 while taking away \$40 million in programs for families and children, that he consider the needs of children.

These are some frightening statistics but one day in the lives of children in the United States - 689 babies are born to women who have

had inadequate pre-natal care. 105 babies die before their first birthday. 27 children die from poverty. 211 are arrested for drug offenses. 1,512 teenagers drop out of school. 1,849 children are abused and neglected. 34,285 people lose jobs each day. 100,000 children are homeless.

Let's keep that in mind. Thank you.

Mr. Cohen presents

No. 1357 Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of \$56,913.54 in partial payment of an Emergency Contract to perform repairs on Clarence Street between Greenleaf Street and Well Street, in the 19th Ward of the City of Pittsburgh; and providing for the payment thereof, charging the same to Code Account 3-13-30-0001-90, Index Code #813808, "1989 Project Fund". Prior approval granted by Council April 3, 1990.

Which was read and referred to the Committee on Finance.

Mr. Darkins presents

No. 1358 Resolution amending Resolution No. 328, effective April 3, 1990, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto; and providing for the payment of the cost thereof," by increasing the total allocation by \$150,000.00 from \$250,000.00 to \$400,000.00.

Also,

No. 1359 Resolution amending Resolution No. 330, effective April 3, 1990,

entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof," by increasing the total allocation by \$150,000.00 from \$110,000.00 to \$260,000.00.

Also,

No. 1360 Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of an Aluminum Shoring Box System to be used by the Construction Division at a cost not to exceed \$30,670.00, chargeable to and payable from Code Account PW 89, 3-01-35-0001-90, Capital Construction, Index Code 801209.

Also,

No. 1361 Resolution providing for an Agreement or Agreements, or the use of existing agreements with the Pittsburgh Public Parking Authority, for the renovation or repair of various parking lots throughout the City of Pittsburgh; and also to create a trust fund entitled, "Schenley Park Plaza Trust Fund". Index Code 254441.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 7th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo presents

No. 1362 Resolution authorizing the

URA to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Albert D. Graham, and designated as Block and Lot 2-D-318, under the Residential Land Reserve Fund.

Also,

No. 1363 Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 6th Ward of the City of Pittsburgh being designated as Block 49N, Lots 127 and 129, under the Residential Land Reserve Fund. (residential development)

Also,

No. 1364 Resolution approving execution of a Contract by and between the URA and Calvin L. Sheffield for the sale of Block 22L, Lots 190 and 191 in the 21st Ward of the City of Pittsburgh for \$400.00 -- Redevelopment Area No. 27 (garage construction).

Also,

No. 1365 Resolution authorizing execution of the First Amendment to Lease Agreement by and between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh, for property in the Twelfth Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presents

No. 1366 Resolution providing for issuance of a warrant in the amount of \$3,000.00 to William L. Hines and Elsie M. Hines, his wife, c/o David J. Eckle, Esq., their attorney, Eckle & Conway, P.C., 4328 Old William Penn

Highway, Monroeville, PA 15146, in full and final settlement of alleged damage to property at 647 Seagirt Street in the City of Pittsburgh.

Also,

No. 1367 Resolution providing for the issuance of a warrant in the sum of \$1,350.00 to James E. Richardson, c/o Larry E. Kemp, Esq., his attorney, Steidl & Steinberg, 210 Grant Street, Pittsburgh, PA 15219 in full and final settlement of an alleged auto accident involving a City Medic Unit on Brighton and Woods Run Road in the City of Pittsburgh on or about June 13, 1989.

Also,

No. 1368 Resolution transferring the aggregate sum of \$7,500.00 from various code accounts to code account 50 Refunds Sewage Charges, Index Code 005009 Department of Finance.

Also,

No. 1369 Resolution approving the 1990 Allegheny County Solid Waste Management Plan pursuant to the requirements of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988.

Also,

No. 1370 Resolution providing for the filing of an application for a grant(s) in connection with Deferral of Employment Discrimination Charges; providing for the execution of a grant contract, filing of requisitions, execution of payment vouchers maintaining a special trust fund, and deposit of funds in a bank account.

Also,

No. 1371 Resolution providing for the filing of an application for a grant(s) in connection with Deferral of Housing Discrimination Charges (and related activities); providing for the execution of a grant contract, filing of requisitions, execution of payment vouchers, maintaining a special trust fund and deposit of funds in a bank account.

Also,

No. 1372 Resolution repealing Resolution No. 741, Item D, approved 7-20-90, which repealed Resolution No. 935, Item A, approved 12-1-88, which authorized the sale of property in the 13th Ward, 7725-7727 Fleury Way, a vacant lot, designated as 174 R, 340, to Ida Irene Perry for the sum of \$350.00, as the Balance of Purchase Price was received after Forfeiture proceedings were initiated. Resolution No. 741, Item D, of 7-20-90, is hereby repealed and Resolution No. 935, Item A, of 12-1-88, is hereby reinstated so sale may be completed.

Also,

No. 1373 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Also,

No. 1374 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1375

Report of the Committee on Finance for September 12, 1990 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1278

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A.H. Mathias & Company, Inc., in the amount of \$10,261.15 in payment of Drawing Reproduction Services in connection with the transfer of ownership of six (6) bridges from the City of Pittsburgh to the Pennsylvania Department of Transportation; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1279

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of CSX Transportation in the amount of \$1,014.88 for Railroad Flagging expenses incurred during the Rehabilitation of the Swinburne Street Bridge; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1305

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Chapter 181, General Provisions, to include the requirement of U.S. citizenship for employment with the City."

Which was read

Mr. Ferlo:

Mr. Chairman, on Bill 1305 regarding the legislation I submitted on the U.S. citizenship requirement for the position of police officer, I'd like to amend it so that there's no legal question and also to reflect the concerns of Councilmembers that we not affect anybody who is currently on the payroll already being employed as a police officer who may, indeed, not be a U.S. citizen.

Accordingly, I'd like to make an amendment. Following the sentence, "All persons holding the position of police officer shall be citizens of the United States of America" my amendment is the following: "This requirement does not affect the continuing employment of any resident alien holding the position of police officer prior to the effective date of this act."

Mr. Coyne seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1314

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling One Thousand (\$1,000.00) Dollars for payment, without previous authority of law, to Perkin-Elmer Corporation, for the emergency repair to

the Atomic Absorption Spectrophotometer at the Water Treatment Plant, Purification and Pumping Division, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1315

A Resolution entitled, "Resolution providing for the transfer of funds totalling Eighty-Five Thousand (\$85,000.00) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1981, Index Code 198101, Premium Pay, Distribution Division, Department of Water."

Which was read.

Also,

Bill No. 1319

Resolution amending Resolution No. 450, Item H, effective April 30, 1990, which authorized sale of vacant lot at St. Norbert Street, 32nd Ward, 138 B, part 210, to Richard Reich and Mary Reich, his wife, for the sum of \$400.00 by correcting the plan lot numbers to read 43 and 56 rather than pt. 43 and pt. 56. All else in Resolution No. 450, Item H, effective April 30, 1990, shall remain the same and in effect.

Which was read.

Also,

Bill No. 1320

A Resolution entitled, "Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Millionses
Mr. Regan
Mr. Ricciardi

Michelle Madoff

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1322

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Eugene Ricciardi for the month of September, 1990."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo
Michelle Madoff

Mr. Millionses
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1328

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Stadium Authority in the amount of \$1,748,204.00 for Various Capital Improvements; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1331

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Acme Clay Products in the amount of Three Thousand Eight

Hundred Ninety-Four (\$3,894.00) Dollars, in payment for street paving brick."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1332

A Resolution entitled, "Resolution transferring the amount of Twenty Five Thousand (\$25,000.00) Dollars from Code Account 1612-1, Repairs, Index Code 161216 to Code Account 1150, Repairs, Index Code 115006."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with a **NEGATIVE RECOMMENDATION**,

Bill No. 1341

A Resolution entitled, "Resolution transferring the amount of \$1,748,000.00 from Code Account 53-1, Index Code 005314, Debt Service - Stadium Authority of Pittsburgh to various departmental accounts within the City of Pittsburgh."

Which was read.

Mr. Ferlo:

Mr. Chairman, I think the substance of the debate at the table was an indication from the Administration as to whether or not any Capital Budget projects would be eliminated or not completed this year. Was there any response from the Administration regarding that issue?

Mr. Cohen:

Yes. We received just a couple of days ago a memorandum from Director Hayllar, the Director of Finance, explaining what this transaction is and what the financial ramifications of it are. Also, an itemized list of the capital improvements that are going to be made on the Stadium.

I'm convinced, from that memorandum and also a fairly lengthy discussion with Director Hayllar, that this is something that we should go ahead with. I know that there might be some disagreement on Council about this but this is the same transaction that was done last year. There is a beneficial result of it in that it frees up operating funds, about \$1.7 million operating funds for the City of Pittsburgh. I would like to know, and we can pursue this later, as to why we need to do this and what that means for the operating budget down the line. But that aside, it is a beneficial result and I think one that we should support.

Michelle Madoff:

Mr. President, I don't think I've seen a copy of that letter. Was it just sent to you, Mr. Cohen?

Mr. Cohen:

No, it's to all members of Council.

Michelle Madoff:

Well, I apologize, but I haven't seen it yet and I need to look at it because it seems to me as the discussion took place last week that this payment to the Stadium is a pre-arranged contractual commitment and it uses bond money. I was concerned that they were going to issue another bond. They're not; they're using existing bond money that the Council voted on to save

the Stadium in our previous negotiations. It's just a matter of transferring money that was already committed and I don't quite understand how that affects, and I would like to discuss it with the Finance Chairman and others, how it affects the Operating Budget because you cannot use Operating dollars for Capital expenditures. This is Capital money. It was bond money. It's money set aside and we're just honoring a commitment.

So, I'm interested in your statement about how it frees up Operating money from the millions and I'd like to sit down and go over that with you.

Mr. Cohen:

I can address that briefly and certainly the Director of Finance would be able to do it better than I. But in the past, except for last year, my understanding is that it was Operating funds from the City that was provided to the Stadium for these types of --

Michelle Madoff:

It shouldn't have been.

Mr. Cohen:

Well, that's the way it was. Now we are going to be transferring Capital funds rather than Operating funds. So, when I say that it will free up Operating funds, I mean with respect to the past, it will be done differently.

Michelle Madoff:

I'm really surprised, and I would like to go over that with Mr. Hayllar. I can't believe that we used Operating dollars to pay Capital funds. If anybody is listening and wondering why we don't know, it's because every week there are dozens and dozens of pieces of legisla-

tion and hundreds of invoices that come through. It's impossible to really catalogue it all. We're not computers.

But it seems to me, I don't understand and we need to have a memorandum from Mr. Hayllar as to why in the past, if indeed that was the case, we paid it out of Operating costs when it's a Capital expenditure.

The Chair:

Without getting into an extensive debate, the Administration has, in essence, assured us that no Capital projects will be jeopardized in the 1990 budget.

Michelle Madoff:

That wasn't my concern. I want to know how we get the surplus in the Operating Budget. I was assured of that and that's why I'm going to go with it.

The Chair:

Due to increased costs in the Operating Budget such as gasoline and others, additional monies are needed in the Operating Budget rather than the Capital Budget.

Michelle Madoff:

That's not my question. What I want to know is how we ever paid Capital expenses with Operating dollars. I don't think we did but I need to have that clarified.

Mr. Ferlo:

Mr. Chairman, the only objection I continue to have besides the issue of whether or not certain Capital projects will be sacrificed, and that's always a shell game anyway and we're not going to fool anybody in regards to that issue,

but the only other issue is that the Operating dollars or yearly dollars that we don't have the interest on because Capital dollars, as we know, we pay a heavy interest on.

My objection is that we already floated a significant bond issue to save the Pirates. That's a \$2 million a year figure. On top of that, as we are all aware, for at least a half a decade we've made, out of the Operating Fund, a 1.8 yearly taxpayer contribution to support the Stadium. That's not counting other state funds that are coming into the City to make certain access improvements which are badly needed.

My objection, obviously, is again that we're making this allocation now out of the Capital Fund and paying more for those dollars as opposed to living within our means and within our budget as represented by the yearly operating costs of \$1.8 million. So, I'm voting no on that principle issue.

Michelle Madoff:

A very important point. I think what is happening here is that you always pay the debt service. It's like a mortgage payment. It comes out of the Operating fund. But the money was taken out of the Capital fund for the Stadium and that is what I need to get clarified. I'm going to sit down with Mr. Hayllar and see if I understand it.

Mr. Ricciardi:

Mr. President, I do not have a problem with transferring the funds to and from the Stadium. I do believe they are Operating funds and not Capital dollars.

The problem I have with Bill 1341 is that we continue to pour money into rental of equipment. In August we poured an additional \$200,000 into that account. Here we're pouring

\$300,000 into that account.

I believe the reason we're doing that is because the contracting method for this year has changed. I met with the Administration last week and I was pleased that they are investigating the matter, but I'll have to continue to vote no on this until I get a satisfactory answer.

The Chair:

I would just ask each Councilmember to realize the importance of these bills, this bill in particular, in dealing with the Stadium. We do need five votes on the bill and I think it's crucial that we do get five votes on this issue.

Even though the bill has a negative recommendation, if you're voting in favor of the bill, vote aye when your name is called.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6

NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 1342

A Resolution entitled, "Resolution providing for the issuance of a \$1,140.68 warrant in favor of Mary and Malachy Reddy in settlement of claim for vehicle damage."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Cohen:

Mr. President, I'd like to move that Bill 1342 be made law upon the signature of the Mayor.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins presented

Bill No. 1376

Report of the Committee on Public Works for September 12, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1285

A Resolution entitled, "Resolution granting unto Jennifer Popovich, 1502 Bellaire Place, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a garage encroachment on a portion of the sidewalk of Witt Street in the Thirty-Second Ward, Fourth District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1286

A Resolution entitled, "Resolution granting unto Pittsburgh Tag Company, 1112-1120 Galveston Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a loading dock and awning on a portion of the right-of-way of Behan Street in the Twenty-Second Ward, First District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1287

A Resolution entitled, "Resolution granting unto Bob Kiecher, 1600 Smallman Street, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an electrical vault on a portion of the sidewalk of Smallman Street in the Second Ward, Sixth District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1288

A Resolution entitled, "Resolution granting unto Adelmo and Pasqua Sciulli, 8 Cable Place, their own successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a parking pad on a portion of the right-of-way of Melba Place in the Fourth Ward, Third District of the City of Pitts-

burgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

(MR. FERLO ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1289

A Resolution entitled, "Resolution granting unto C.J. Greve, Joe Hammer Square Apartment Building, his successors and assigns, the privilege and license to construct, maintain and use at his cost and expense, a dumpster and fence on a portion of the sidewalk of Joe Hammer Street in the Fourth Ward, Sixth District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1290

A Resolution entitled, "Resolution granting unto Metz & Lautner Plumbing Company, 229 Bausman Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sanitary sewer lateral on a portion of the right-of-way of South Neville Street in the Seventh Ward, Eighth District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1291

A Resolution entitled, "Resolution granting unto Bell of Pennsylvania, 201 Stanwix Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) telephone cabinets

on a portion of the sidewalk of Swope Way, Marchand Street and Howe Street, Seventh Ward, Eighth District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1292

A Resolution entitled, "Resolution granting unto Tony Lombardozzi, 4786 Liberty Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, three (3) awnings over a portion of the sidewalk of Liberty Avenue and Mathilda Street in the Eighth Ward, Eighth District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1293

A Resolution entitled, "Resolution granting unto Bell Telephone Company, 201 Stanwix Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) telephone cabinets on a portion of the right-of-way of Lyric Street and Collier Street in the Twelfth and Thirteenth Wards, Ninth District of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

On Bills 1291 and 1293 regarding Bell Telephone Company, no small company, no small utility, no small company that certainly is

without resources. We're giving away public property in both of these bills, 1291 and 1293 for no money. We've already begun a precedent over the last several years in the City with Duquesne Light Company, as well as other utilities, requiring some fee associated with the license or with the permit.

In this case we're talking about the construction of five telephone cabinets, roughly 2 feet by 2 feet that will be constructed in various intersections. First of all, I don't even like these cabinets. Usually people are tripping over them but Public Works has indicated that they're not going to be in people's way.

But minimally, we should receive some income for giving them this public right-of-way and prerogative and the bill would spell out this permission and grant them this public property without any fee. We should collect some resources from this.

There's no hurry to approve these two bills. Nobody is going to be without phone service in Shadyside if we don't approve these bills. Now is a good opportunity to negotiate some reasonable fee to give them this prerogative.

The legislation we're approving today would require the Department to give the utility six month's notice if there is a change of heart or a change of fee. I would think the company would rather know up front what the costs are. So, I would urge that Council consider tabling these bills until they're brought back to the table with a fee associated with them. If we have to vote on them, I'm voting no on the two bills.

Michelle Madoff:

Mr. President and Members of Council, this issue has come up since I've been here and my understanding is that it's a quid pro quo, that there are times when the City needs a right-of-

way from Duquesne Light and the Telephone Company and that it's a trade-off. Unless something has happened and I've been lied to, and it won't be the first time, I have no reason to believe that I'm being lied to, I think it's a quid pro quo and I think we're making an elephant out of a flea and I think we should vote for it.

However, if indeed there is some question and Mr. Ferlo would like to hold a post agenda and have the Administration here to discuss in general the trade-off or the access of properties to the utilities, I think we ought to deal with it but not deal with it on a specific bill.

Mr. Cohen:

I agree with Councilman Ferlo and raised this issue at Wednesday's meeting about the general policy of charging for privileges and licenses. I think that we should look at that possibility and pursue it and I'm in discussions with Public Works and the City Law Department about that.

If we do it, though, we need a policy, an across the board policy, that will affect everyone. I don't think we can pick and choose which companies we want to charge for these things and which companies not to charge.

So, what we should do is have a discussion and look to the possibility of changing our policy so that we can get revenue from the City because I agree with Councilman Ferlo that we are giving away property and giving away a property right. There's a whole bundle of property rights and we're giving away a stick in that bundle. And we shouldn't be doing it without getting some revenue back from the City, especially given our current budgetary crunch. But I think we should have a policy for doing that and one that goes across the board and not just pick and choose particular companies.

Mr. Regan:

I'd just like to say that these big companies are easy to beat up on all the time. I think that Bell Telephone has done a tremendous job, they employ a lot of people, their workers have great benefits, and I think they do a lot for the City of Pittsburgh and I think they do a lot for the country. I'd just like to tip my hat to Bell Telephone and I'm voting for it.

Mr. Ferlo:

Mr. Chairman, I love Ma Bell as much as the next person, but using that rationale we should just give them any rate increase they want. That's not the issue here today. The issue here is being reasonable and it's certainly reasonable for the City to expect some income as a result of providing an opportunity for this company to save money or cut costs or provide their services. We do that in many other cases.

In response to Mr. Cohen, that's exactly why I'm asking that we reconsider holding these bills because we need a policy. There are some companies that come before us, Duquesne Light in particular, that we have charged fees for, and it has been haphazard. I would like to see a policy and I'm sure the companies involved, including good old Ma Bell, would like to see a policy rather than every time dealing with staff people in Public Works. There should be a uniform policy.

There's no hurry for these bills and we should ask for that uniform policy. Now is the time to act.

The Chair:

Is your motion to table?

Mr. Ferlo:

I don't think I have the support on a motion to table so I'm just going to go on with it. If I hear a supportive comment, I'll make a motion to table.

Mr. Cohen:

You're not going to hear it here. You have a supportive comment about let's work on this, let's pursue it with Public Works, with the City Law Department, and see if we can come up with a policy for charging people for licenses and privileges. If we hold up all these bills because of one company, then we do damage to some individuals that we have given commitments to for privileges and licenses. Let's go ahead with these bills but at the same time let's sit down and work with those two departments and Councilman Ferlo and I, I'm sure, will be able to get together and let's try to either introduce legislation or establish a new policy that will bring more revenue into the City.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Wagner
(Pres't)

AYES 6

NOES 2

(MR. FERLO AND MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1294

A Resolution entitled, "Resolution granting unto Richard F. Costanzo, Two Gateway Center, 14th Floor, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, two (2) foundation footers on a portion of the sidewalk of Beechwood Boulevard in the Fifteenth Ward, Fifth District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1295

A Resolution entitled, "Resolution granting unto Birmingham Towers, 21st and Wharton Streets, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a ramp, entrance and canopy on a portion of the sidewalk of Wharton Street in the Sixteenth Ward, Third District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1296

A Resolution entitled, "Resolution granting unto Pennsylvania American Water Company, 410 Cooke Lane, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a vault for

water valve on a portion of the sidewalk of Stetson Street in the Nineteenth Ward, Fourth District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1297

A Resolution entitled, "Resolution granting unto Mark G. Houmis, 1774 Helen Drive, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an 8" sewer line on a portion of the right-of-way of Grandview Avenue in the Twentieth Ward, Second District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1298

A Resolution entitled, "Resolution granting unto Anthony A. Laush, 1522 Lowrie Street, his successors and assigns, the privilege and license to pave, construct, maintain and use at his own cost and expense, a driveway on a portion of the right-of-way of Adna Street in the Twenty-Sixth Ward, First District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1299

A Resolution entitled, "Resolution accepting the dedication of certain property in the Highland Court Plan in the 11th Ward, 7th District, City of Pittsburgh for highway purposes."

Which was read.

Also,

Bill No. 1300

A Resolution entitled, "Resolution accepting the dedication of certain property along the Eastern side of Nash Street between Avery Street and Pressley Street in the 23rd Ward, 1st District, City of Pittsburgh for road purposes."

Which was read.

Also,

Bill No. 1301

A Resolution entitled, "Resolution vacating Loomis Way between Brighton Road and Jayme Way in the 27th Ward, Council District 1 of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1302

A Resolution entitled, "Resolution vacating Bermuda Street between Kingwood Street and Fernland Way in the 32nd Ward, Council District 4 of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1333

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of a Selectron Truck Scale Ticketing and Data Base System with Multi-User Capability for the Asphalt Division, and providing for the payment of the cost

thereof."

Which was read.

Also,

Bill No. 1334

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for flexible beam guiderails at various locations within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

First of all, I'd like to thank Mr. Serpa from Public Works for the Highland Court dedication which was badly needed. It has only been about a year; I expected it to take five years. So, I want to thank him.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1377

Report of the Committee on Planning, Housing and Development for September 12, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1308

A Resolution entitled, "Resolution providing for an Agreement or Agreements, Contract or Contracts, or to make use of existing contracts to undertake the Baum/Centre/Ellsworth/Penn Circle Transportation Study."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 1308 regarding the approval of a \$60,000 authorization for the study of the Baum/Centre/Ellsworth/Penn Circle Transportation Study, I do want it noted that specifically the concern as we approved a couple years ago legislation that I had submitted for the reconsideration of construction of either a vehicular and/or pedestrian bridge at Ellsworth Avenue, I'm glad to see that that has been integrated into this study which originally was only going to deal with the Negley Centre Corridor.

Secondly, many of us have lobbied and argued for parts of the East Liberty Circle to be made two-way, and I'm glad to see that that is part of the study that is going to be reviewed by the Planning Department.

Again, this is an issue that is not parochial to just the East Liberty district. That whole area affects everything from Highland Park to the East Hills and certainly the Shady-side community. So, I'm glad to see that and I hope, as Councilman Cohen had requested, that we receive a copy of the scope of services for that study, and that would be done expeditiously.

Mr. Cohen:

On Bill 1308, I agree that the Baum/Centre/Ellsworth/Penn Circle Study is an important one by the Planning Commission and I'd like to have my comments on that bill brought forward because there were commitments made; one, that we would receive the request for proposal and the scope of study, as Councilman Ferlo said. But also there was a commitment as to the time period for that. These studies tend to take forever and we had a commitment that it would be completed in six to nine months. So, I plan to hold the Planning Department to that commitment. Thank you.

(MR. COHEN'S REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 1308, WEDNESDAY, SEPTEMBER 12, 1990)

Mr. Cohen:

Director, what are the goals of the study?

Ms. Downing:

One specific question is whether the Ellsworth Avenue Bridge ought to be -- there ought to be a new Ellsworth Avenue Bridge linking East Liberty and that portion of Shadyside.

Mr. Cohen:

Did you say pedestrian and vehicular?

Ms. Downing:

The question is whether there should be a bridge that would accommodate vehicular and pedestrian or whether there could simply be a pedestrian bridge or whether there should be any bridge at all.

Those are the three questions relating to that item.

Mr. Cohen:

I am very familiar with that issue but I wonder if the study does include both?

Ms. Downing:

Yes.

Then the second portion that has to do with analyzing the Baum/Centre Corridor has to do with the discussion that we were having about appropriate zoning for that corridor and whether it should be a higher density zoning and specifically what we were discussing was the "C3-H" designation.

There are existing capacity problems at Negley and Centre which relate to how traffic moves in the whole corridor and so we thought we should look at the entire corridor to see what kind of improvement should be made, changes to traffic lights possibly considering a one-way pair where Centre would be one way and one direction and Baum would be one way or the other. We want to just work that through in a planning sense and see whether any additional development could occur on the Centre Avenue Corridor and what other improvements could be made to improve the existing problems so that is the second element.

The third has to do with how traffic flows around the East Liberty Business District and specifically there was a request that instead of making the southern portion of the Circle two-way and in order to analyze that we would have to look at how the traffic flows throughout the whole circle and whether that ought to be maintained.

Mr. Cohen:

We aren't starting from Square One on the Centre Avenue, are we? I was told several months ago when there was a seminar at the Shadyside Action Coalition that a Centre Avenue Corridor Study was well under way.

Ms. Downing:

This is all part of it. The scope of work -- what we want to study has been analyzed and I believe that's what was being shared with people for comments so that's what we're actually advertising.

Mr. Cohen:

Is there an RFP?

Ms. Downing:

Yes. I will share it with you.

Mr. Cohen:

Thank you. And the last question is, is East Liberty Development and Shadyside Action Coalition, the Chamber of Commerce of East Liberty and of Ellsworth Avenue Corridor, are they all going to be brought into the study?

Ms. Downing:

One of the delays in this was simply figuring out how we should handle the who study process so yes, they will all be included.

Mr. Cohen:

Okay, there are others as well. There's a Pierce Street neighborhood group too. I'd like to work with you and we should get everybody involved.

Ms. Downing:

The intention would be to include everyone.

Mr. Cohen:

What is your deadline on this?

Ms. Downing:

Typically we say we try and finish these within six months although more realistically it's probably nine months.

Mr. Cohen:

So nine months from today we will the results of a study?

Ms. Downing:

We will try to do that, yes.

Mr. Cohen:

Thank you.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 1309

A Resolution entitled, "Resolution authorizing the Mayor and Director of Planning to submit applications for funding to State and Federal agencies for riverfront development and recreation activities and to enter into Agreement or Agreements for the implementation of those activities."

Which was read.

Mr. Ferlo:

On Bill 1309, I want it noted, so that I'm clear of the Administration's commitment, regarding allowing the Planning Department to proceed with various applications to state, federal, and the foundation community for Riverfront development, taking into consideration some of the recommendations from the Riverfront Study, that in that study the Lawrenceville Marina was suggested as not only a parochial potential park but also a regional kind of a facility and I hope, again, that will be a focus along with some of the other considerations for that study.

Also,

Bill No. 1310

A Resolution entitled, "Resolution amending Resolution No. 905-90 by changing the payment account to a special trust fund and by authorizing the Mayor and the Director of Planning to enter into an Agreement or Agreements with the Stadium Authority for the construction of the Stadium Pedestrian Circulation Improvements Project."

Which was read.

Also,

Bill No. 1311

A Resolution entitled, "Resolution repealing Resolution No. 906-90 which amended Resolution No. 893-89 by increasing the total project cost and scope of the Stadium Pedestrian Ramps Project."

Which was read.

Also,

Bill No. 1312

A Resolution entitled, "Resolution authorizing a First Amendatory Community Development Corporations Cooperation Agreement providing for the transfer of an additional \$3,564.49 by the Urban Redevelopment Authority of Pittsburgh to the City of Pittsburgh to be used by the City to fund Community Development Corporations."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo
Michelle Madoff

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 1378

Report of the Committee on General Services for September 12, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1281

A Resolution entitled, "Resolution providing authorization to enter into a contract or contracts by the City of Pittsburgh, with the Pennsylvania Energy Office (PEO), for a grant in connection with the Vehicle Emissions Testing Project providing for the execution of a Grant Contract; providing for required assurances; providing for the deposit of the funds in a bank account of a special Trust Fund; and upon approval thereof, for an agreement or agreements for professional services in conjunction therewith and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On the bill to provide natural gas for our automobiles in an attempt to conserve energy, there was a very interesting article in Monday's Press, "Natural Gas May Be Solution To U.S. Oil Independency". I think that's a little overstatement, because we're using 9 billion gallons a day of oil imports. We're not going to solve the

problem with natural gas, but it is one of the solutions to our energy crisis and I'm very happy to say that I helped Equitable Gas bring that program to the City and we're expanding it and we need to be kept posted as to what is happening because it's very important.

Also,

Bill No. 1321

A Resolution entitled, "Resolution repealing Resolution No. 818, approved August 3, 1990, effective August 10, 1990 entitled, 'Providing for a contract or contracts or the use of existing contract or contracts to purchase (1000 Gallons) of firefighting foam for the Bureau of Fire and providing for the payment thereof.'"

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1379

Report of the Committee on Engineering and Construction for September 12, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1280

A Resolution entitled, "Resolution further amending Resolution No. 1049, effective January 1, 1989, as amended, entitled, 'Resolution adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program,' by increasing a line item (EC 89-66 Carnegie Library Brookline Branch Renovations) by \$35,000.00, from \$25,000.00 to \$60,000.00."

Which was read.

Also,

Bill No. 1329

A Resolution entitled, "Resolution further amending Resolution No. 1049, effective January 1, 1990, as amended, entitled, 'Resolution adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program' by creating a new line item (EC89-85 Stadium Authority Capital Improvements)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

I misspoke myself when I was referring to the imports. It is barrels, not gallons. I meant barrels. I just misspoke.

On another matter. I wish to commend my colleague, Mr. Ferlo, for making something happen that is wonderful. I have a memo from my office to Maureen Hogan and I'd like to read it if I may, Department of Planning. Bill Urbanic sent it along.

"As you are well aware, since City Council passed legislation making funds available for non-CDBG area under the NBDR Program, and I believe that was the brainchild of Mr. Ferlo and all of us supported it in Council, our office has been pushing to get assistance to Mount Washington-Sheraden-Elliott business

districts for the development plans.

We are delighted that the Mount Washington Chamber of Commerce and Sheraden Kiwanis Club have been chosen by the URA and City Planning to benefit from these funds.

However, because the funding was limited, we need answers to the following questions:

- How much will each group receive?
- What type of assistance?
- To what end or purpose are the awards for?
- Will the Mount Washington Chamber of Commerce receive meaningful allocations of money to allow for substantive improvements for the business and residential communities of Mount Washington?
- When should the assistance be expected?

Please supply this office with specific details as soon as possible as we will be meeting with the Mount Washington organization."

They're having their meeting tonight and we're meeting again with another group on the 20th.

And as you know, I've told Councilmembers, I shared with you, my absolute horror at the analysis that was made that Mount Washington status quo was wonderful and they don't need any help. I couldn't believe that the Planning Department would come out with that.

This sort of mollifies me a little bit but I think that we should give credit where credit is due. It was the brainchild of Mr. Ferlo; he sort of pushed it along, we all supported it, and I thank you.

Mr. Ferlo:

Just on that issue. Long before I got here I know Mr. Wagner who represents a large part of the City that is not in CD neighborhoods has certainly been vocal and instrumental in trying to bring resources, in this case operating dollars, to some budgeted items in Planning, and I'd like to thank him.

Secondly, Dr. Milliones serves on the Board now with me regarding the NBDTR applications and the CBO funds and I'd like to point out his participation also.

I just have a few brief points, Mr. Chairman. We have yet to receive from the Administration any kind of report regarding the crises on the asphalt situation. I know, for instance, that Public Works was about to sign a major deal with another municipality outside the City which is on hold and we would like to receive both what the legal response is going to be as well as what legislative response we can have regarding with problems associated with the State Enabling Act.

Secondly, as I was sitting there last night for several hours listening to a variety of organizations and citizens speaking at the Planning Commission's hearings on the six-year development plan, and I believe there's another one this evening at the Brashear Association, or the South Side Market House --

Mr. Ricciardi:

It's at the South Side Market House at 7:00.

Mr. Ferlo:

I'd like to remind people about that but what struck me last night, Mr. Chairman, again, is that citizen after citizen appeared at the hear-

ing speaking not solely on the six year Capital Budget but they talked consistently about problems that basically deal with the Operating Budget, the performance of Public Works or the performance of Parks. They're singing the wrong choir to some extent.

What struck me also, and I want to note, I've never seen so many Administration directors and major decision-makers at a public hearing. It's my understanding the Mayor, Mr. Mistick directed the staff to be there. There must have been 20 major staff people there and I was a little bit taken aback. So, I want to thank them for doing that.

But it just brings the point that many of these organizations who appear at the hearings regarding the Planning Commission's six year plan, they should really reappear before City Council so that we can hear and learn from their valuable testimony and encourage those groups to once again appear during City Council's budget hearings November, December, both on the Capital Budget as well as on the Operating Budget.

My specific request regarding this issue though, Mr. Chairman, I raised it last year and I was roadblocked by Mr. Jacoby, the previous Executive Secretary, but one of the important evaluation tools that we have in Council, especially when we interview the various department directors, is the type of complaints that come into the City.

We all know from our offices many of those complaints. But we should have a monthly tally from the Mayor's Complaint Center regarding the name -- And I'm not asking for individual names of residents. I'm asking generally for some information from the Mayor's Complaint Center regarding the departments, the type of complaint, and I think we need to begin to review any of that information.

So, if there's any computer data base that they could give us regarding those complaints, I think it would serve each one of us, especially as Chairpeople of respective committees. I think it would be a good evaluation tool for us to look at specific problems and I'd like to see that information get to us before we interview various department directors.

I'm respectfully requesting through you, Mr. President, if we could please communicate to the Administration asking for that information regarding the type of complaints and the repetition of complaints and the response rate to complaints. All that information and all that hub of information is centered at the Mayor's Complaint Center. I think it would be important for us to review that information.

The Chair:

Mr. Ferlo, you have three requests. Number one, the legal response to the asphalt situation.

Mr. Ferlo:

On that, Mr. Chairman, I'm just reiterating a request to you if you could please communicate to the Administration asking for that information. We already passed a resolution; it's sort of old business.

But I am making a formal motion that we receive this information I've outlined from the Administration regarding the Mayor's Complaint Center. And that's in the form of a motion.

Mr. Cohen seconded the motion.

The Chair:

Let's clear the first one up first. We would like a response, Mr. Perry, within the next

two weeks on the asphalt issue from the Law Department.

Secondly, we have Mr. Ferlo's motion to have an organized list of complaints that come into the Mayor's Complaint Center provided to Council. Do you want to designate a timeframe?

Mr. Ferlo:

I'd like it prior to the start of the formal hearings with the department directors so they have four or five weeks to prepare that. It could be by month. It could be a combination of whatever data regarding the nature of the complaints.

The Chair:

A laundry list of the types of complaints in 1990 prior to our budget. Okay.

Michelle Madoff:

On that subject. I learned from being out on the campaign trail, as you know we just ran for district election for the first time, and when you go out to speak in the community and they say, "What have you ever done for us?" well, you know, we've done a lot of things but you can't remember. So, we started in our office to catalogue everything and computerize it and have a code. We can give you a printout on the number of water complaints City-wide that we've had in the office. We can give you a printout on the kind of complaints and what district we've had them from.

One of the things we learned, and I think it goes to the issue of the letter that I was so upset about in Planning, we've learned for example that out of the 600 complaints in the last year that we've recorded that were not minor complaints but that needed attention and we didn't direct them elsewhere and put them on our computer, one-third of them came from Mount Washing-

ton-Duquesne Heights because there are no Sam Tiglios, there's no organized group like Brookline or other places that really deals with citizen complaints. So, we've set about trying to make that correction.

But I think that I would not be opposed to getting that kind of material and I think that the Administration, if it hasn't already, might consider as the material comes in giving it a code number and just putting it in the computer so that if it isn't done for this year, at least we'll have it for next.

But I would think that if you're keeping those records in your own office, I would be willing to be \$1,000 that our information only mirrors what is going into the Mayor's Complaint Center. What are we getting? We get complaints on potholes. We get complaints on abandoned houses. We get complaints on noise boxes. We get complaints on drugs. It's the same thing. You look at your own breakdown in your communities and I bet you it's like a poll. It would follow through that the Mayor's Complaint Center would be identical.

And who would like a break down from our office and our community which is really a microcosm of the City of Pittsburgh. That's what District 2 is because of the physical layout. We'll be happy to share that information if you don't get it anywhere else.

Mr. Ferlo:

Mr. Chairman, just to clarify. I know the information that comes into my office.. That's not really the issue I'm raising. We don't direct the staff. We're not the Administration. We don't evaluate directors. We don't evaluate formen and supervisors.

There are many calls, and the one thing I always get upset about when I'm out in the field,

is when somebody approaches me with something and it's usually six months after they've communicated it to the Mayor's Complaint Center.

So, I'm asking for a little bit of a different profile which I think would be a valuable tool as we go into the budget proceedings.

The Chair:

Is there any other discussion on that motion? All in favor? Opposed?

WHICH MOTION PREVAILED.

The Chair:

I'd like to follow up on that, Mr. Ferlo. As part of the Capital Budget hearings, the Planning Department provides Council with a list each year of all the requests made by the various community groups. I would like to request through the City Clerk that that list not only continue to be provided based on the testimony at that hearing, but it be broken down into districts this time so each Councilmember know what requests fall within their district. However, I still think all of us should receive the entire City's request.

Mr. Ricciardi:

Mr. President, on the subject matter of the Capital Budget hearings, I've been informed by the City Clerk's Office because of work at the South Side Market House, tonight's meeting will be at Brashear Association, 20th and Sarah Streets, beginning at 7:30 p.m.

The Chair:

Thank you, Mr. Ricciardi.

Mr. Regan:

Mr. President, I'd just like a little vote of confidence here for the Pittsburgh Pirates. They're going to be in town and they're coming down the home stretch and since Andy Van Slyke is from the same town as the illustrious Mr. Ferlo, I'd even like him to vote for it.

Mr. Ferlo:

Absolutely.

Mr. Cohen:

Here, here.

Mr. Regan:

So, let's have a vote and--

Michelle Madoff:

Can I vote for the ones that are absent?
Can I have three votes?

Mr. Regan:

So, I want to have a unanimous vote here for the Pittsburgh Pirates. Beat 'em Bucs and let's get 'em.

The Chair:

Let's go all the way.

WHICH MOTION PREVAILED.

Mr. Regan:

I'd also like to welcome Councilman Ferlo's brother to Pittsburgh. He was here earlier and we want to welcome him to the City. And anything we can show him in District 1, Councilman, we're available.

Mr. Ferlo:

Thank you, sir.

**Mr. Cohen moved to approve the Minutes of
Tuesday, September 11, 1990.**

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Cohen

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 37

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, September 25, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne presents

No. 1419 WHEREAS, Gisela Yecies was born in Vienna, Austria in the year 1908; and

WHEREAS, Gisela Yecies moved to London, England in the 1930's and became a British Citizen; and

WHEREAS, after World War II, Gisela came to the United States of America where she became a U.S. Citizen; and

WHEREAS, Gisela Yecies made her home in Pittsburgh, Pennsylvania where she opened up a reputable and successful dress shop business; and

WHEREAS, Gisela's dressmaking talents were acknowledged in numerous newspaper articles during her career; and

WHEREAS, Gisella's 32 years of business have contributed to the vitality of her community and the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Gisela Yecies, whose footprints can be traced from Austria via England via the United States of America, for her untiring efforts and determination; and

BE IT FURTHER RESOLVED, that the Council extends best wishes to Gisela Yecies for health, happiness and prosperity in her retirement years.

Mr. Coyne moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 1420 WHEREAS, the Health Education Center recognizes the need to reduce injuries among children in Allegheny County; and

WHEREAS, the Health Education Center has proposed the creation of a "Partnerships in Prevention Program", a first to focus on the needs of minority and low income communities; and

WHEREAS, Partnerships in Prevention will challenge organizations, agencies and groups to begin responding to the growing opinion among health experts that injuries constitute a major problem, especially among minority and low income children, and to identify methods to reduce preventable injuries.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports the Health Education Center's forwardness to address and provide remedy for the disproportionate incidence of injuries among minority and low income children; and

BE IT FURTHER RESOLVED, that the Council urges all interested organizations and businesses to join the Health Education Center in making child health a top priority.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

With have with us today Mrs. Griffin and some of the other people from the Health Education Center that are here and would respond in the receiving of this resolution.

Ms. Griffin:

Good morning to everyone. The promotion of child health is a highly commendable object and the issuance of this resolution designating a child health day will undoubtedly have influence in focusing public attention on this matter.

The Health Education Center has the formation and will form a Partnerships in Prevention which is going to be a community effort involving business, labor and industry, consumer, social and religious groups, education, government, health care providers, voluntary associations and the media.

The Partnership will respond to the growing opinion among public health experts that injuries constitute a major problem, especially among minority and low income children.

We encourage all interested organizations and businesses to join with us in making child health a top priority. Thank you.

Mr. Darkins presents

No. 1421 WHEREAS, Ms. Melba Moore is a world famous singer, songwriter and Tony Award winning actress; and

WHEREAS, Ms. Melba Moore has accomplished another professional milestone by

recording the Negro National Anthem, "Lift Every Voice and Sing", including a host of stars from stage, screen and records; and

WHEREAS, Ms. Melba Moore has contributed much to the African American community through her strong belief in God, her excellent artistic abilities and her compassionate love of family and humanity; and

WHEREAS, Ms. Melba Moore has achieved high honors as a professional business woman, talented administrator and guiding influence of Hush Productions; and

WHEREAS, Ms. Melba Moore has gifted the world with her new album, "Soul Exposed", and continues to be a positive role model to all people throughout the world; and

WHEREAS, Ms. Melba Moore is the National Chairperson for the membership drive of the National Council of Negro Women and is an Honorary Member of the National Coalition of 100 Black Women; and

WHEREAS, Ms. Melba Moore is the esteemed founder of the Melba Moore Foundation for Children; and

WHEREAS, Ms. Melba Moore is a dynamic African American Woman that is worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 1, 1990 as Melba Moore Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Mrs. Patricia Cotman here today to accept this award and I'd also like Council to know that Mrs. Melba Moore will be doing this, I believe, on Sunday, singing the National Anthem at the Steelers game.

Ms. Cotman:

Thank you. Melba Moore, as Councilman Darkins mentioned, is our National Membership Chair. I am the local Pittsburgh Section President for the National Council of Negro Women.

She is coming here, actually, because of community and corporate partnering. The National Council of Negro Women and Kaufmann's Triangle Corner sponsors this program each year as a benefit for a minority Performing Arts student, this year. Last year we had a benefit for a minority Business student.

She will be arriving on Sunday, singing at the Steelers game the National Anthem, and then on Monday we have a host of activities planned for her starting with interviews on radio and TV and ending with a luncheon that AT&T is hosting for 23 Performing Arts students from CAPA (Creative And Performing Arts) High School. In the evening, we will have our benefit program in Kaufmann's 11th floor auditorium.

These are the kinds of programs that the National Council of Negro Women sponsors throughout the country through its membership of 4 million Black women and we thank you today for this resolution.

Mr. Darkins presents

No. 1422 WHEREAS, the Pittsburgh Pirates have had an outstanding 1990 baseball season and presently have one of the finest

records in the National League; and

WHEREAS, Pittsburgh Pirate Outfielders Bobby Bonilla, R.J. Reynolds and Barry Bonds are three of the most accomplished players on the Pittsburgh Pirates team; and

WHEREAS, Bobby Bonilla, R.J. Reynolds and Barry Bonds have contributed much as African American men to the positive development of young people; and

WHEREAS, these men consistently display qualities of sportsmanship and leadership and have conducted themselves as positive role models, upholding the good name of the City of Pittsburgh; and

WHEREAS, the Pittsburgh Pirates continue to play exciting baseball games at Three Rivers Stadium.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims the evening of September 24, 1990 as "Tribute to the Pirates Night" in the City of Pittsburgh and further recognizes the 1990 season as "The Year of the Pirates".

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 1423 WHEREAS, the City of Pittsburgh is honored that the Progressive National Baptist Association chose to have their 1991 Convention in the City of Pittsburgh; and

WHEREAS, the Association is comprised of Macedonia Baptist Church, Nazarene

Baptist Church, Mt. Ararat Baptist Church, Victory Baptist Church, St. John Baptist Church, Baptist Temple and Rodman Street Baptist Church; and

WHEREAS, the Council of the City of Pittsburgh welcomes all the delegates and their families to the City and extends to them hospitality and the opportunity to experience and discover the many historical, cultural and exciting attractions that make Pittsburgh a wonderful place; and

WHEREAS, as a City we greatly appreciate your presence, and the spirit of goodwill will permeate our residents, generating positive attitudes and significantly contributing to our economic growth.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends good wishes to you, with the hope that your convention yields great success and jubilation and we invite you to hold future conventions in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the week of August 5, 1991 be proclaimed as the 1991 Progressive National Baptist Association Week in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins presents

No. 1424 WHEREAS, Friday, September 21, 1990 will be observed as National POW/MIA Recognition Day in the City of Pittsburgh; and

WHEREAS, there are still 2,500 Ameri-

can POW/MIA's unaccounted for from the Vietnam War; and

WHEREAS, 125 POW/MIA's are from the State of Pennsylvania, including 20 residents of Allegheny County, and 11 men who resided in the City of Pittsburgh; and

WHEREAS, on Friday, September 21, 1990 at 10:00 a.m., a ceremony and service for the 2,500 still missing in action will be held at the Veterans Administration Medical Center, Highland Drive, Pittsburgh, Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize September 21, 1990 as "National POW/MIA Recognition Day" to increase public awareness on this issue and thereby assist in efforts to resolve the fate of our missing men; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wholeheartedly supports the ceremonies scheduled for Friday and joins the nation in recognizing September 21, 1990 as "National POW/MIA Recognition Day".

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

This is a very important resolution. I've talked to Tom Foerster's office and they're delighted. Unfortunately, there's no one to come over today and we're going to hand-deliver the resolution.

Michelle Madoff presents

No. 1425 WHEREAS, funding to expedite the engineering and design of the proposed Airport Busway Project will cost approximately \$6 million dollars over the next year; and

WHEREAS, official procedure for securing funding by the State of Pennsylvania requires formal action by the Legislature and Governor Casey, and could cause bureaucratic delays; and

WHEREAS, County Commission Chairman Tom Foerster has announced that Allegheny County may provide funding to keep the proposed Airport Busway Project on schedule if the State of Pennsylvania guarantees a reimbursement at a later date; and

WHEREAS, a precedent for this proposal was established when Allegheny County previously loaned the State of Pennsylvania \$1 million dollars in the late 1970s to complete the Thornburg Bridge reconstruction, and it is in this spirit of cooperation that immediate negotiations begin between Allegheny County and the State of Pennsylvania to discuss a similar arrangement; and

WHEREAS, Port Authority officials announced that immediate funding by Allegheny County will ensure completion of the busway in time for the opening of the new terminal scheduled for October, 1992; and

WHEREAS, the SPRPC has concluded that completion of the new terminal and the Airport Busway will be economically and geographically advantageous to the residents of the City of Pittsburgh, and noted that "The Busway is essential to address the traffic congestion of the Parkway West Corridor"; and

WHEREAS, the timely completion of the Busway will be a first step in providing the City of Pittsburgh immediate access to the new

Midfield Terminal and the rapidly expanding area around the airport, which may prove economically essential for future growth of our City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the vision of Commissioner Tom Foerster and supports Allegheny County in its endeavor to secure immediate funding for the Airport Busway, and encourages the State of Pennsylvania to expedite an agreement with Allegheny County to provide for reimbursement for this project.

Michelle Madoff moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff:

May I move that we have a copy sent to the Governor and I would like it to include all Councilmembers' names, not just my resolution.

The Chair:

How about also the Allegheny County Delegation, Legislators, Senators, and also County Commissioners, Congressmen?

Michelle Madoff:

Anyone you suggest. Please take care of it, Mike.

The Chair:

I also compliment Councilwoman Madoff for this resolution.

We had a meeting yesterday in our con-

ference room with Mr. Milar and he has assured us as long as we can get the funding that this project will be a high-priority item.

Mr. Regan:

This resolution is presented by the Honorable Dr. Jake Milliones and myself.

I'd like to have Mr. Rucker to come up here please, and also Joe Williams and Walt Maddox, the great singer. He has one of the nicest houses on the North Side.

Mr. Regan presents

No. 1426 WHEREAS, the Manchester Reunited Association is a community based non-profit organization which plans to annually bring together the residents of Manchester for a community reunion; and

WHEREAS, the primary purpose of this non-profit organization is to eventually establish community scholarships and other forms of self-help programs; and

WHEREAS, the Manchester Reunited Association believes that it is very important that we instill in our children and grandchildren a pride in the heritage and history that was and is Manchester as we recapture our community from the crime and violence that America is experiencing today.

NOW, THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council do hereby recognize and proclaim Saturday, September 29, 1990 in the community of Manchester as "Manchester Reunited Association Day" in the City of Pittsburgh and encourage the community to observe this day at the Manchester Ballfield from 8:00 a.m. to 11:00 p.m. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Regan:

On behalf of Dr. Milliones and all the Members of Council, I'd like to present you with these certificates.

Mr. Rucker:

Good morning, City Council and President. We just appreciate the opportunity of being able to receive this proclamation, but we are also inviting all the members here to please come over and see what we're doing over in the Manchester area.

The counts are getting bigger, as far as the votes are concerned. It's going to be a serious area to deal with or reckon with, so please think that your time will not be wasted if you just come over this coming Saturday, anytime after 12:00 p.m. We'll be looking forward to it. Thanks again.

The Chair:

I'd be remiss if I didn't announce that Walt Maddox is opening this Friday, I believe, at the South Hills Theater with a Nat King Cole rendition. And even though it's outside the City, it's very close; it's in Dormont and we're looking forward to it.

Mr. Regan:

Mr. President, I have some complimentary tickets in my office if any of the Council staff is interested.

Michelle Madoff:

Can't you do it on another day besides our Jewish High Holiday?

Mr. Regan:

I'm sorry. Happy Holiday.

The Chair presents

No. 1427 WHEREAS, Conrail is considering Pittsburgh as the new home of its National Customer Service Center which would mean approximately 900 jobs with an annual payroll of \$20 million; and

WHEREAS, Conrail presently operates 10 smaller customer service centers throughout the Country, four of which are located in Pennsylvania and these various locations would be consolidated into one central location; and

WHEREAS, the Pennsylvania Department of Commerce is working with Conrail to develop a package of incentives for locating in the Pittsburgh area; and

WHEREAS, the City of Pittsburgh has many assets that make it ideal for the Conrail National Customer Service Center including a strategic location within 500 miles of over half of America's population, a skilled and quality workforce, excellent educational facilities and a new Greater Pittsburgh International Airport; and

WHEREAS, the quality of life in Pittsburgh has been consistently better than any other City in America as a place to live and work and was named "Most Livable City in the United States" by Places Rated Almanac in 1985 and rated third in 1990; and

WHEREAS, Pittsburgh and the many

communities and businesses in Southwestern Pennsylvania have played an important role in the history of Conrail including the Pennsylvania Railroad Station located in Downtown Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh offers any and all assistance that it can render to the Executives of Conrail in locating their National Customer Service Center in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Thank you for the support. This resolution will be sent to the Conrail people to show that this Council unanimously supports the total City effort going on to attract this company here to the City of Pittsburgh.

This is a very important item. It could mean 700 new jobs to Pittsburgh area residents if Conrail chooses Pittsburgh. It has come down to Pittsburgh and Indianapolis, Indiana as a site for this location, and I'm optimistic that it will be the City of Pittsburgh. Thank you.

Mr. Cohen presented

No. 1388 Resolution providing for the creation of a special trust fund to be designated "Fulton Theater Renovations" (FTR) Index Code #252353, into which account shall be deposited any and all funds received from the City/Federal/State/County, and/or any private sources for said project.

Also,

No. 1389 Resolution providing for a contract or contracts, or use of existing contracts for miscellaneous repairs to streets and structures, in an amount not to exceed \$50,000.00, chargeable to and payable from Code Account 3-13-30-0001-89, Index Code #759332.

Also,

No. 1390 Resolution amending Res. No. 520, eff. June 23, 1989, entitled "Authorizing the submission of applications to the Commonwealth of Pennsylvania, Dept. of Community Affairs for financial assistance for Fulton Theater renovations, 'by amending Sections 4 and 5 by adding the authorized Director of the Department of Engineering and Construction, and by amending Section 5 to include a dollar amount for the agreement and a Code Account from which to pay it. At a cost not to exceed \$200,000.00, chargeable to and payable from the Fulton Theater Renovations Trust Fund (FTR), Index Code #252353.'"

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1391 An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and other animals, Chapter 635, Other Animals and Fowl, by adding a new Section 635.04, Use of Painful Techniques and Devices.

---(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Public Works.

Also,

No. 1392 Resolution providing for the

transfer of funds totalling \$270,000.00 from various City Department Code Accounts to Code Account 1144, Index Code 114405, Fuel, Department of General Services. (PRIOR APPROVAL GRANTED)

Also,

No. 1393 Resolution providing for the transfer of funds totalling \$60,000.00 from various Code Accounts to various Code Accounts, all within the Department of General Services.

Which were read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 1394 Resolution vacating Congress Street from Fifth Avenue northwardly 160.50 feet to a point by 40 feet in the 3rd Ward, Council District #6 in the City of Pittsburgh. A fee of \$58,200.00 is recommended. The petitioners, Laborers Combined Funds of Western Pennsylvania, 1109 Fifth Avenue, Pgh., PA 15219 have requested this vacation for expansion purposes.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the

meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Discussion. I do think given the controversial nature of this vacation, that a public hearing would be required.

The Chair:

Is it required. So, it will come into Committee tomorrow and be referred for a public hearing.

Mr. Ferlo:

Thank you.

Also,

No. 1395 Resolution changing the name of Sacramento Avenue from Vienna Street to Strickler Street in the 20th Ward, 2nd District of the City of Pittsburgh. The property owners have requested the name change and have submitted this request by petition.

Also,

No. 1396 Resolution changing the name of Jacobs Way from Brosville Street to its deadend in the 16th Ward, 3rd District of the City of Pittsburgh to Saint Joseph Way. The property owners requesting the name change have submitted a petition for the change.

Also,

No. 1397 Resolution changing the name of Behrens Way from Highman Street to Valora

Street in the 20th Ward, 2nd District of the City of Pittsburgh to Highman Street. The property owners have requested the name change and have submitted a petition with their request.

Also,

No. 1398 Resolution changing the name of School Way from Sherrod Street to Cessna Way in the 9th Ward, 7th District of the City of Pittsburgh. The property owners requested the name change and have submitted this request by petition.

Also,

No. 1399 Resolution changing the name Monastery Street from the mailbox in front of St. Paul's Monastery to 18th Street in the 16th Ward, 3rd District of the City of Pittsburgh. The property owners have requested the name change and have submitted a petition to City Council.

Also,

No. 1400 Resolution changing the name of Buchanan Street, the 1300 block to Lowrie Street in the 24th Ward, 1st District of the City of Pittsburgh. The property owners have requested by petition the name change and have submitted this request.

Also,

No. 1401 Resolution granting unto Patricia L. Stockline, 58 St. Michael Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a porch on a portion of the right-of-way of St. Michael Street in the 17th Ward, 3rd District of the City of Pittsburgh. This request is made by Patricia L. Stockline to clear her title for a porch encroachment.

Also,

No. 1402 Resolution granting unto Joseph R. Martinelli, 1750 Fingal Way, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway over a portion of the right-of-way of Fingal Way in the 20th Ward, 2nd District of the City of Pittsburgh. This request is made by Joseph Martinelli who would like to recut the paper street and construct a garage beside his house.

Also,

No. 1403 Resolution granting unto Richard Abrams, 7524 Carriage Lane, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a sanitary sewer line in a portion of the right-of-way of Hauser Way in the 7th Ward, 8th District of the City of Pittsburgh. This request is made by Richard Abrams that he is constructing a new house and has found that the only way to enter the sewer is through the street right-of-way.

Also,

No. 1404 Resolution granting unto Pittsburgh Allegheny County Thermal, 535 Smithfield Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) vaults and a line on a portion of the sidewalk and street of Penn Avenue in the 2nd Ward, 6th District of the City of Pittsburgh. Pittsburgh Allegheny County Thermal has requested these encroachments to upgrade their system.

Also,

No. 1405 Resolution granting unto Presbyterian-University Hospital, 3515 Fifth Avenue, their successors and assigns, the

privilege and license to construct, maintain and use at their own cost and expense, an elevator lift on a portion of the sidewalk of Meyran Avenue in the 7th Ward, 8th District of the City of Pittsburgh. This request is made by Presbyterian-University Hospital that due to the new construction, the elevator lift will be relocated from Forbes Avenue to Meyran Avenue.

Also,

No. 1406 Resolution granting unto 301 Smithfield Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) bulkhead walls under a portion of the sidewalk of Third Avenue in the 1st Ward, 6th District of the City of Pittsburgh. This request is made by D. Hamburg, architect for 301 Smithfield Street. The bulkheads are required for the utilities at that address.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 1407 Resolution amending Resolution No. 395, effective April 17, 1990, entitled "Resolution providing for a contract or contracts, or the use of existing contracts, for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed Five (5) years, and providing for the payment of the cost thereof," by increasing the total allocation by \$400,000.00 from \$682,000.00 to \$1,082,000.00, for 1990, chargeable to and payable from Code Account 1545, Index Code 154500, Street Lighting and amounts appropriated from time to time in succeeding calendar years.

Which was read and referred to the Committee

on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1408 Resolution providing for the transfer of funds totalling \$90,000.00 from Code Account 1922, Misc. Services, Administration Division, Dept. of Water, to Code Account 51, Postage, Dept. of Finance. This transfer is required to replenish the advance postage due account used for the mailing of the Department of Water's customer water bills by the U.S. Postal Service. The transfer will fund the postage due account through the balance of the year.

Also,

No. 1409 Resolution providing for the transfer of funds totalling \$22,000.00 from Code Account 1926, Municipal Obligations for Non-City Water, Administration Division, Dept. of Water, to Code Account 44-1, Unemployment Insurance, Dept. of Finance. This transfer is necessary for reimbursement for Dept. of Water employees who have drawn unemployment compensation during the past two years.

Also,

No. 1410 Resolution providing for the transfer of funds totalling \$534,059.00 from Code Account 1922, Misc. Services, Dept. of Water, as follows: The transfer of \$467,559.00

to Code Account 1154-1, Rental of Motorized Equipment, Dept. of General Services; and the transfer of \$66,500.00 to Code Account 1132-2, Telephone Expense, Dept. of General Services. This transfer will cover the lease payment for Water Department vehicles totalling \$433,059.00; lease payments for the 800 mhz radio system totalling \$34,500.00 and telephone service and equipment expenses totalling \$66,500.00. The City is reimbursed by the Pittsburgh Water and Sewer Authority for all Water Department direct and indirect expenditures. These costs were budgeted by the Water Department and represent the annual payment of a lease agreement. A transfer is necessary to enable General Services to pay for these expenditures.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones presented

No. 1411 Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pa. to pay the City of Pgh. JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1990 through June 30, 1991. The total of the warrants will not exceed \$31,070.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 1412 Resolution providing for the issuance of a warrant in the amount of \$10,000.00 to Maureen Brown, c/o Jon Botula, Esquire, 810 Grant Building, Pittsburgh, PA 15219 in full settlement of a claim for personal injury arising from a fall that occurred on August 25, 1986 on Liberty Avenue and Sixth Avenue, Pgh., PA, payable from Code Account No. 46, Judgments.

Which were read and referred to the Committee

on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

No. 1413 Resolution amending Res. No. 319 eff. April 13, 1989, entitled "Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh," by increasing the authorized amount from \$20,000.00 to \$35,000.00, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office.

Also,

No. 1414 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which were read and referred to the Committee on Finance.

The Chair presented

No. 1415 Petition from the residents of Homewood-Brushton and East Hills, 13th Ward, City of Pittsburgh, requesting a public hearing to discuss illegal drug trafficking in their neighborhoods. This petition is valid in accordance with Section 320 of the Home Rule

Charter.

Which was read, received and filed.

The Chair:

I'd like to welcome the University of Pittsburgh students who came to Council. It's nice to see all of you.

UNFINISHED BUSINESS

Michelle Madoff:

This Councilmember, and I think everyone else, has requested that the Administration let us know whether the amendment to my smoking bill for the tokens, that they let us know what the vending machine operators have decided to do. I would like to make a request that we ask them to please attend tomorrow's meeting. Somebody to discuss it.

The Chair:

Thank you. Mr. Perry will follow up on that.

REPORTS OF COMMITTEES

Mr. Milliones presents

Bill No. 1416

Report of the Committee on Finance for September 19, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1330

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants, without previous authority of law, in the amount of Eight Thousand Three Hundred Sixty-One and 48/100 (\$8,361.48) Dollars, in favor of C&C Marine Maintenance Company, Clifford Crain, President, for payment for repairs in 1988 to the Quarter Boat Barge necessary to ensure its duration through the winter months, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1335

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the L.B. Foster Company, in the amount of Nine Thou-

sand Five Hundred and Fifty Seven Dollars and Fifty Cents (\$9,557.50), in payment for emergency replacement of aluminum railing on the Larimar Avenue Bridge."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1343

A Resolution entitled, "Resolution providing for the issuance of a \$1,337.60 warrant in favor of Belva Cathcart in settlement of claim for vehicle damage."

Which was read.

Also,

Bill No. 1344

A Resolution entitled, "Resolution providing for the issuance of a \$90.00 warrant in favor of John Arthur and Sophie Fuhs in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1345

A Resolution entitled, "Resolution providing for the issuance of a \$1,483.18 warrant in favor of Duquesne Light Company in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1417

Report of the Committee on Public Works for September 19, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1303

A Resolution entitled, "Resolution changing the name of Colbert Street between vacated Locust Street and Forbes Avenue to McAnulty Drive in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1336

A Resolution entitled, "Resolution granting unto Sheraden Community Council, 720 Sherwood Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) community bulletin boards on a portion of the right-of-way of Hillsboro Avenue in the Twentieth Ward, Second District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1337

A Resolution entitled, "Resolution granting

unto Robert John Kader, 330 Mathews Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a garage on a portion of the right-of-way of Loran Way in the 30th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1338

A Resolution entitled, "Resolution granting unto Frenchy's Restaurant, 136 Sixth Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning and stand pipes on a portion of the sidewalk of Sixth Street in the Second Ward, Sixth District of the City of Pittsburgh."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 1338 regarding the approval for the construction of a canopy, an awning, a 7 foot long awning and stand pipes for Frenchy's Restaurant, I only want to point out to Council that this has already been constructed. So, I'm concerned a little bit about the process. Why are we approving something that's already up?

Obviously, again, there's a problem with a particular individual in Public Works. If we're being asked to approve something regarding a vacation of a street or whatever the issue is involving that department, we should get it in a timely fashion, not after the thing has already been constructed.

Also,

Bill No. 1339

A Resolution entitled, "Resolution granting unto Pennsylvania American Water Company, 410 Cooke Lane, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a vault for water valve on a portion of the sidewalk of Brook Street in the Twenty-Ninth Ward, Fourth District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1358

A Resolution entitled, "Resolution amending Resolution No. 328, effective April 3, 1990, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, authorizing the resurfacing of various City streets and park roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto; and providing for the payment of the cost thereof,' by increasing the total allocation by \$150,000.00"

Which was read.

Also,

Bill No. 1359

A Resolution entitled, "Resolution amending Resolution No. 330, effective April 3, 1990, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for the rental of equipment in connection with the City of Pittsburgh's Asphalt Plant, and providing for the payment of the cost thereof,' by increasing the total allocation by \$150,00.00."

Which was read.

Also,

Bill No. 1360

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of an Aluminum Shoring Box System, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1361

A Resolution entitled, "Resolution providing for an Agreement or Agreements, or the use of existing Agreements, with the Pittsburgh Public Parking Authority, for the renovation or repair of various parking lots throughout the City of Pittsburgh; and also to create a trust fund enti-

itled, 'Schenley Park Plaza Trust Fund'."

Which was read.

Michelle Madoff:

On Bill 1361, which is not unusual, I was the sole dissenting, argumentative person about tearing up Schenley Park for the 75 parking spaces and eliminating the attractiveness of what we have there. As you know, you can't get through there now. It has gone on far longer than I anticipated. I opposed it, went along to be agreeable, but I am going to oppose it today.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1418

Report of the Committee on Planning, Housing and Development transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1304

A Resolution entitled, "Resolution approving an agreement by and between the Urban Redevelopment Authority of Pittsburgh and Kevin E. and Adrienne Cooper, Jacqueline Brooks, Andre and Maureen Dobson and Ousainu and Patricia Rashid for site work related to subsidence on the owners' properties located on Haverhill Street in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund. (AS AMENDED)"

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Mr. Cohen:

Due to the urgency of that situation on Haverhill Street in Homewood, I would like to move that this become law upon the signature of the Mayor.

Mr. Ferlo seconded the motion.

WHICH MOTION PREVAILED.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

Mr. President, I would like a letter to go from Council to PennDOT concerning Second Avenue between Hazelwood Avenue and Greenfield Avenue. It's a State maintained road and the State came out a few weeks ago and took off the first level and they haven't been back yet to repave it. So, I think if we could send a letter from Council to the local office, it might help to remedy the situation before winter comes upon us. That's a motion.

Michelle Madoff seconded the motion.

Which motion prevailed.

Michelle Madoff:

In the same vein, Wyoming Street is scheduled under a Wallace Act for an emergency repair going from Grandview down to Burma Road. That strip of ground, the part past the Wyoming down turn, has been repaved temporarily, but the part leading to it has bumps in it about a foot high and it goes down about a half

foot, then it goes up two feet. It has absolutely destroyed cars and people are starting to turn their bills in for misalignments. Business has been affected because people will not go up to the store on Boggs to buy their films because they will not take that road.

They are supposed to be repairing it. We need cooperation to put a water line in, which is what's holding it up. The gas line has already been put in. There was a problem with the gas line which has made the street even worse; it's a cobblestone. It is a disaster.

I would like a letter sent from this Council to please expedite repairing and coordinating the water line with the sewer line and with repaving and get it done tomorrow.

The Chair:

Sent to whom?

Michelle Madoff:

To Mr. Alex Sciulli, Dawn Botsford and Lou Gaetano. That's a motion.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff moved to approve the Minutes of Tuesday, September 18, 1990.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of Mr. Coyne

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, October 2, 1990

No. 38

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, October 2, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 1454 WHEREAS, mental illness is one of our nation's most serious health problems; and

WHEREAS, mental illness affects nearly 19 million adults and 12 million children; and

WHEREAS, while mental illness affects large numbers of people, it is one of the most feared and misunderstood diseases, and fewer than one in five persons seek professional help for fear of being stigmatized as crazy; and

WHEREAS, in addition to the enormous suffering caused by mental illness, the cost to society is over \$249 billion annually in treatment, support and lost productivity.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is pleased to be a part of Mental Illness Awareness Week from October 7-13, 1990 and hereby recognizes the significance of bringing this illness out in the open and encourages family members and friends to be supportive and encourage persons experiencing mental problems to seek treatment; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares October 7-13, 1990 as Mental Illness Awareness

Week in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Mrs. Eleanor Slater that is here today and she is receiving this resolution and will speak.

Mrs. Slater:

I'm very pleased to accept this resolution on behalf of United Mental Health and the Alliance for the Mentally Ill who represent the mentally ill and their families.

We appreciate City Council's recognition of the importance of the Mental Illness Awareness Week and there is a candlelight ceremony on October 6th preceding that week, and we invite you all to attend. It's going to be a very warm ceremony to recognize the families and the mentally ill.

Ruth Drescher has brochures and some posters that will tell you a little more about the ceremony. Thank you.

The Chair:

For the next resolution I would like to ask Father Bartoul, the Pastor of Our Lady of Victory Maronite Church in Brookline to please step forward along with Don Stich, Frank Joseph, and Yvonne Bors, the Chairperson of the upcoming convention.

The Chair presents

No. 1455 WHEREAS, the National

Apostolate of Maronites and Our Lady of Victory Maronite Church are co-sponsoring a Regional Convention for those of the Maronite Rite; and

WHEREAS, the Convention will be held in Pittsburgh on October 26, 27 and 28, 1990 and will be hosted by Our Lady of Victory Maronite Church; and

WHEREAS, the Regional Convention is intended to bring Maronites together, especially those who were unable to attend the National Convention; and

WHEREAS, Maronites from Michigan, Ohio, Western Pennsylvania and West Virginia will be in attendance.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby officially welcome all those attending the National Apostolate of maronites Regional Convention and conveys best wishes for a successful event and a most enjoyable visit to the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

Members of Council, it's an honor to present this resolution to Father Bartoul and those with him.

Our Lady of Victory Maronite Church is a beautiful little church nestled in the hills of Brookline, right off of Dunster Street. If none of you have ever been to a service there, I suggest you go. It is a very intimate experience with a great congregation and a great Pastor, Father

Bartoul. We're pleased to have you here today and to welcome the Convention to the City of Pittsburgh.

Father Bartoul:

Good morning. Pittsburgh has a history, an honorable history, of honoring ethnic groups, special heritages, and when there was an opening for a new host for the Maronite National scene, we were unable to get that but we got the Regional which means from a four state area we get to pull in Maronites who honor the heritage, the customs, the traditions, of Catholics from the Middle East, to bring them to Pittsburgh, to let them see the City, to share in its sites, and also to allow the City of Pittsburgh to share in our customs and traditions, some of them dating back to the 4th Century.

So, in keeping in tune with this practice that Pittsburgh has of honoring different ethnic groups and heritages, we are delighted to be able to host this regional convention here in the great City of Pittsburgh. Thank you very much.

Mr. Darkins:

Churches always welcome here, Father. Churches always welcome.

The Chair presents

No. 1456 WHEREAS, October 6, 1990 is German-American Day; and

WHEREAS, Americans of German descent constitute the largest ethnic group in the United States of America, with more than 52 million Americans proudly proclaiming their German heritage; and

WHEREAS, German-Americans have, since the arrival of the first German immigrants in Philadelphia, Pennsylvania on October 6,

1983, distinguished themselves by their loyalty to their new homeland, and their contributions to the culture and life of the United States of America, and have supported its democratic principles and have dedicated themselves to the promotion of freedom for all people everywhere; and

WHEREAS, the German-American Friendship Garden in Washington, D.C. stands as a symbol of the friendly relations between West Germany and the United States of America, and further evidences the continuing contributions of German Americans.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 6, 1990 as German-American Day in the City of Pittsburgh and calls upon all citizens of this City to acknowledge the contributions of German-Americans and to celebrate German-American Day.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 1428 Resolution further amending Resolution No. 344, eff. April 21, 1989, as amended by Res. No. 963, eff. September 24, 1990, entitled, "Providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Public Safety Facilities, including but not limited to No. 1 Fire Station (Council District #6) and No. 6 Police and No. 18 Fire Station (Council District #8), and providing for the payment of the cost thereof," by decreasing the total project allocation by \$50,000.00 from \$775,000.00 to \$725,000.00.

Also,

No. 1429 Resolution providing for the taking of property in the 2nd Ward, City of Pittsburgh, owned by Edward M. Early and Sandra L. Early, his wife, for the Reconstruction of Grant Street, Liberty Avenue, Phase III, Liberty, Tenth Street and Sixth Avenue, and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto. This Resolution will authorize the condemnation of property located at 974-978 Liberty Avenue (Block 9-P, Lot 180). The property has been appraised and a letter offer was submitted to the owners. There is disagreement on the fair market value of this property. The Department of Engineering and Construction feels that the value should be established by the Board of Viewers.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1430 Resolution providing for the issuance of a warrant or warrants in the amount of \$3,250.00 for payment to HJM Services, Inc., Robert Harris and Earl Johnson, Principal Owners, for services in connection with the City's MBE/WBE certification program, payable from Code Account 1128, Misc. Services, Department of General Services.

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1431 Resolution amending Resolution No. 322 of 1990 authorizing the Mayor and the Chief Administrative officer of the City of Pittsburgh to enter into an Agreement or Agreements in individual amounts of \$10,000.00 or less with various contractors with

specialized skills in connection with the City's Solid Waste Management Program, chargeable to and payable from Code Account 1173, Index Code 1173-09, Recycling Services, Department of Environmental Services. The Controller is hereby authorized and directed to encumber the funds for each Agreement upon execution of individual Agreements which specify the code account from which funds for each Agreement shall be paid. (PRIOR APPROVAL GRANTED)

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1432 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: From "R4" Multiple-Family Residence District and "C3" Commercial District to "RP" Residential Planned Unit Development District, all that certain property bounded by: CRAWFORD STREET; WEBSTER AVENUE; MERCER STREET; GILMORE WAY; Lot No. 130, Block 9-S in the Allegheny County Block and Lot System, WEBSTER AVENUE; PEACH WAY, Lot No. 119, Block 9-S in the aforesaid System; MANILLA STREET Lots No'd. 105, 76 and 77, Block 9-S in the aforesaid System, ROBERTS STREET; PERU WAY; ARTHUR STREET; HOFFERS WAY; ROBERTS STREET; CLARK WAY; MILLER STREET, and FORESIDE PLACE, and from "R4" Multiple-Family Residence District to "R1" One-Family Residence District all that certain property bounded by: ARTHUR STREET; PERU WAY; ROBERTS STREET and HOFFERS WAY, 3rd Ward.

Also,

No. 1433 An Ordinance amending the

Pittsburgh Code, Title Nine "Zoning", by providing definitions, use exceptions and regulations for heliports as a Conditional Use Exception in M3, M4 and MP Districts; for helipads as a Conditional Use Exception in C4, C5, C6, SP and all M and I type Districts; for helistops as a Special Exception in C4, C5, C6, CP, SP and all M and I Districts.

Also,

No. 1434 Resolution authorizing a Second Amendatory Community Development Corporations Cooperation Agreement providing for the transfer of an additional \$5,751.16 by the URA of Pgh. to the City of Pittsburgh to be used by the City to fund community development corporations for a total of 477,644.21. The funds will be deposited in the 1990 Community Based Organizations Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1435 Resolution amending Res. No. 481, eff. June 15, 1989, entitled, "Providing for the Amendment of Lease with Forbes Street Associates of certain space on the 3rd floor of the 441 Smithfield Street Building to expand the area of the leased space and to provide for the payment of additional rent therefor", in order to increase the dollar amount from the annual amount of \$110,630.04 to the annual amount of \$114,578.04 to include the payment of leased space for storage at 441 Smithfield Street, effective August 1, 1990, and subject to and conditioned upon the annual appropriation of sufficient funds therefor, chargeable to and payable from Code Account 1922, Misc. Services, Department of Water.

Which was read and referred to the Committee on Water.

Mr. Milliones presented

No. 1436 Resolution providing for the issuance of a \$771.00 warrant in favor of Michael and Diane Alexander in settlement of claim for sidewalk damage by City tree roots at 1301 Herberton Street, payable from Code Account No. 46, Judgments.

Also,

No. 1437 Resolution providing for the issuance of a \$890.12 warrant in favor of David Puccio in settlement of claim for property damage to his 1980 Buick Skylark by a City of Pittsburgh Police vehicle on May 16, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 1438 Resolution transferring the amount of \$1,000.00 from Code Account 1001-1 (100115), Misc. Services, City Council, to Code Account 1103 (110304), Misc. Services, Department of City Planning.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 1439 Resolution transferring the amount of \$1,000.00 from Code Account 1001-1 (100115), Misc. Services, City Council, to Code Account 1838 (183806), Misc. Services, Department of Parks and Recreation.
---(SPONSORED BY MR. MILLIONES)

Which were severally read and referred to the Committee on Finance.

Also,

No. 1440 Resolution providing for an

Agreement or Agreements with the North Side Civic Development Corporation, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304), Misc. Services, Department of City Planning.
---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1441 Resolution providing for an Agreement or Agreements with the Greater North Side Athletic Association, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806), Misc. Services, Department of Parks and Recreation.
---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1442 Resolution Repealing Res. No. 686, eff. August 25, 1987, which authorized the sale of a small vacant lot located at 5747 Pierce Street, 7th Ward, Block 84 J, Lot 151, to Norman Brice for the sum of \$350.00. The reason for repealing Res. No. 686 is that it was discovered that the City does not have marketable title to this property. (COUNCIL DISTRICT #8)

Also,

No. 1443 Resolution Repealing Res. No. 877, approved August 24, 1990, which authorized the sale of a vacant lot known as 821-823 Vista Street, 23rd Ward, Block 24 E, Lot 178, to Paul J. Lindenfelser, for the sum of \$1,000.00. The reason for repealing Res. No.

877 is that the former owners redeemed this property after the sale was initiated.
(COUNCIL DISTRICT #1)

Which were read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 1444 Resolution authorizing the transfer of the aggregate amount of \$400,000.00 from the 1990 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-90-221-90-10, Index Code 600007 to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages, fringes and indirect cost incurred in support of the City's Community Development Block Grant Program.

Which was read and referred to the Committee on Finance.

Also,

No. 1445 Resolution providing for a License Agreement(s) with The Salvation Army for the purpose of providing the use of the facility located at 1821 Broadhead-Fording Road, Pittsburgh, PA 15205, as a Recreation Center. The total cost shall not exceed \$13,000.00, chargeable to and payable from Code Account 1801 (180109) Misc. Services, Dept. of Parks and Recreation.

Also,

No. 1446 Resolution authorizing and directing the Mayor and the Director of the Department of Parks and Recreation, on behalf of the City of Pittsburgh, to enter into a Lease Agreement (Sterrett Elementary School site) with the School District of Pittsburgh, for use as a public recreational area, 14th Ward.

Which were read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 1447 Resolution transferring the amount of \$10,000.00 from Code Account 1017 (101717), Misc. Services, Mayor's Office, to Code Account 1103 (110304), Misc. Services, Department of City Planning.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Finance.

Also,

No. 1448 Resolution providing for an Agreement or Agreements with the Airport Area Advisory Commission, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103 (110304) Misc. Services, Department of City Planning.
---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1449 Communication from Mary K. Conturo, City Solicitor, submitting a Quarterly Report of the settlement of small claims not exceeding \$750.00 for the Second Quarter of 1990, payable from Code Account No. 1081, Petty Claims. Also, a Quarterly Report of the settlement of claims in excess of \$750.00 for the Second Quarter of 1990, payable from Code Account No. 46, Judgments.

Which was read, received and filed.

UNFINISHED BUSINESS

Mr. Regan:

I'd like to make a motion, Mr. President, to table the Congress Street Bill.

Mr. Ferlo seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1450

Report of the Committee on Finance for September 26, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1235

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article VII, City Realty, by adding a new Chapter 452, City Owned Property." ---(SPONSORED BY MICHELLE MADOFF) (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1357

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of \$56,913.54 in partial payment of an Emergency Contract to perform repairs on Clarence Street between Greenleaf Street and Well Street, in the 19th Ward of the City of Pittsburgh; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1367

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$1,350.00 to James E. Richardson, c/o Larry E. Kemp, Esq., his attorney, Steidl & Steinberg, 210 Grant Street, Pittsburgh, PA 15219 in full and final settlement of an alleged auto accident involving a City medic unit on Brighton and Woods Run Road in the City of Pittsburgh on or about June 13, 1989."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1368

A Resolution entitled, "Resolution transferring the aggregate sum of \$7,500.00 from various Code Accounts to Code Account 50 Refunds - Sewage Charges, Index Code 005009, Department of Finance."

Which was read.

Also,

Bill No. 1369

A Resolution entitled, "Resolution approving the 1990 Allegheny County Solid Waste Management Plan pursuant to the requirements of

the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988."

Which was read.

Also,

Bill No. 1370

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission, for a grant or grants in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1371

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant or grants in connection with Deferral of Housing Discrimination Charges (and related activities), HUD/FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD/FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; maintaining a special Trust Fund in connection with the Project;

and providing for the deposit of funds in a bank account."

Which was read.

Also,

Bill No. 1372

A Resolution entitled, "Resolution Repealing Resolution No. 741, Item D, approved July 20, 1990, which repealed Resolution No. 935, Item A, approved December 1, 1988, which authorized the sale of property in the 13th Ward, being a vacant lot 40' x 50.3' Rr., located at 7725-7727 Fleury Way, designated as Block 174 R, Lot 340, to Ida Irene Perry, for the sum of \$350.00."

Which was read.

Also,

Bill No. 1373

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

Also,

Bill No. 1374

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1392

A Resolution entitled, "Resolution providing for the transfer of funds totalling Two Hundred Seventy Thousand (\$270,000.00) Dollars from various City Department Code Accounts to Code Account 1144, Index Code 114405, Fuel, Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1393

A Resolution entitled, "Resolution providing for the transfer of funds totalling Sixty Thousand (\$60,000.00) Dollars from various Code Accounts to various Code Accounts, all within the Department of General Services."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1411

A Resolution entitled, "Resolution authorizing the periodic issuance of warrants in favor of the Commonwealth of Pennsylvania to pay the City of Pittsburgh JTPA Program's share of the statewide on-line computer system cost for the period July 1, 1990 through June 30, 1991. The total of the warrants will not exceed Thirty One Thousand Seventy Dollars (\$31,070.00)."

Which was read.

Also,

Bill No. 1412

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$10,000.00 to Maureen Brown, c/o Jon Botula, Esquire, 810 Grant Building, Pittsburgh, PA 15219 in full settlement of a claim for personal injury, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1451

Report of the Committee on Public Works for September 26, 1990, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1407

A Resolution entitled, "Resolution amending Resolution No. 395, effective April 17, 1990, entitled 'Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the design, lease purchase and installation of high pressure sodium street lighting for the Department of Public Works, for a period not to exceed Five (5) years; and providing for the payment of the cost thereof' by increasing the total allocation by \$400,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1452

Report of the Committee on Planning, Housing and Development for September 26, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 812

A Resolution entitled, "Resolution amending the Pittsburgh Code, Title Nine, Zoning, by Revising the Text of Chapter 909 concerning the Regulations governing the Board of Adjustment granting of Special Exceptions for Use of land and the erection, alteration or enlargement of structures in the 'A1' District."

Which was read.

Mr. Ferlo:

Mr. Chairman, in line with the recommendation unanimously of the Planning Commission regarding this bill, I'd like to make a motion to amend Bill 812 by deleting paragraph D to make it consistent with the recommendation of the Planning Commission and their subcommittee.

The Chair:

That motion is in writing in front of all Councilmembers. Is there a second?

Mr. Darkins seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. Cohen	Mr. Regan
Michelle Madoff	Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the motion passed

finally.

Mr. Ferlo:

On the bill, Mr. Chairman, I'd like my comments brought forward.

The Chair:

I would also like my remarks brought forward.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NO. 812, WEDNESDAY, SEPTEMBER 26, 1990)

Mr. Ferlo:

Motion to approve for purposes of discussion.

Mr. Chairman, I'll be very brief and try to summarize intent of this bill, the purpose and what the impact of this bill is.

This amendment is to the Zoning Code, Title Nine and it revises the text of Chapter 909 in one significant way and that is to remove the power and discretion that the Board of Adjustment has had for the last 25 years to determine the days and hours of operations of primarily what amounts to small businesses located in "A1" Commercial Districts of which there are about 20 commercial "A1" Districts around the city, three of which happen to be in my Council District #7.

The proposed amendment was unanimously approved by the Planning Commission as recommended unanimously by its subcommittee and I want to point out that the subcommittee on zoning matters to the Commission is chaired by Mr. Zottola the very individual the Mayor and this Council unanimously approved and appointed to Chair the Board of Adjustment. And it was their combined recommendation which gave unanimous approval to the recommended change on the revision that I will offer.

The need for this legislation as far as I am concerned is quite clear as evidenced by the public hearing testimony. The overwhelming majority of people who spoke at the public hearing who reside and or own property in the affected "A1" zone support this. There are people who live adjacent to this zone, residential individuals, who oppose it and they testified very clearly what their concerns are, concerns which I sympathize with and I want to speak about.

The practices of the Board of Adjustment which has been the impetus for this revision, as far as I'm concerned those past practices and I've characterized them as being unfair, they've been unreasonable, they're contradictory, they're inequitable, they're lacking in consistency, they're time consuming for the small businessperson and they're a detriment to the viability of these commercial corridors.

We have had 25 years of the "A1" zone classification with this limitation of the hours issue and I think it's about time after two decades that we do some sole searching and re-evaluation of the impact of the original intention in creating the "A1" zone.

I want to point out to Council that unlike every other zone in the Municipal Code, there are no permitted uses whatsoever in these business districts that we've classified as "A1". Every single use, every alteration, erection, enlargement of structures in the "A1" District must be approved by the Board of Adjustment and the Board as far as I'm concerned because I sympathize with the criticisms and concerns that have been raised by residents, that I remind Council that I've changed nothing in the Ordinance and that the Board currently has very broad powers and has broad latitude to determine detrimental effect. If there are adjoining property owners, if there are residents, if there are neighborhood-based organizations who oppose any business in an "A1" and an intended use, they have very powerful instruments at their disposal to wage a campaign against the Board granting the use of that property and I would point in the Ordinance to the paragraph which talks about the power that the Board has to not approve the use of that building or any alteration. And it talks about a detrimental effect being the nature of the business or the physical structure and the quality of that structure, the emission of fumes and noise and traffic and glaring lights. There are any number of categories in which one can oppose rightfully so an obnoxious business and that power is not being changed or taken away from the Board of Adjustment.

In the three years that I've been on Council I have battled a number of onerous businesses. I've probably, more so than any other Councilmember has been before the Board of Adjustment, the Planning Commission and Housing Court for the last three years and even before that and 99 percent of the cases I've been to, they're waging a battle on behalf of residential interests against an onerous business. So I haven't all of a sudden gone out of my mind or gained insanity; it's a question of what's fair and reasonable and I would point to the testimony of some of the individuals. The individual businessman who owns the bookstore on Walnut Street and some of the other people and I'm saying that we've had 25 years of inequitable decision making and downright unfair decisions and we should remove the power that the Board has to institute hours and days of operation while safeguarding the power that the Board has to determine detrimental effect and impact and not strip them of the power to get rid of obnoxious businesses.

If we approve this today and I will be the first to draft up a document and hopefully other Councilmembers would support it, I think what we would really have is a change in our urban city, in our urban centers around the neighborhood business districts in the last three decades. We have obnoxious businesses and they're not peculiar to "A1". In Liberty Avenue in Bloomfield, there's a battle with an AM/PM mini-mart and in other places it might be an all-night pizza shop, it may be a smoke shop on Carson Street. The way to handle that is that the police should be involved. In the case of other places it should

be a consideration of going back to the Board to oppose its use in the first place but what we should do is amend all three of the business zones: "C3", "C1" -- but the problem is to amend the Code for all three of those business districts to deal with problem businesses, all night convenience stores and pizza shops and video joints and things of this nature.

So I would ask consideration for this legislation and Mr. Chairman, I would like to amend by substitution which is in line with the Planning Commission's recommendation.

The Chair:

We technically have the original bill on the table.

Mr. Ferlo:

The motion is to amend by substitution which is the amendment then would be in line with the approval from the Planning Commission.

Mr. Wagner:

Second.

Which motion prevailed.

The Chair:

We're dealing with Mr. Ferlo's substitution.

Mr. Ferlo:

The substitution amendment is in line with the Planning Commission because it's not my interest in opposing the opinion of the Commission or the Board of Adjustment Committee but just so we're clear, the fundamental thing that I had included initially which is not under debate now has to do with the Board's ability to at least make an inquiry about the hours and days of operations. So in other words in approving my amendment today, a citizen's group or an opposing property owner has the power to raise objections to the Board to show detrimental effect by questioning the hours of operation or the days of operation.

So I've not precluded the power of someone to object and to show why a business would be detrimental due to the hours of operation. I'm only removing the power of the Board to set and determine the days and hours of operation.

Mr. Wagner:

Mr. Chairman and Members of Council, I agree with this Ordinance and I have been on Council and I have listened to complaints from business districts throughout the city for years.

Going back a couple years ago we were faced with an extremely embarrassing situation around Christmastime in the Shadyside district where certain store owners were permitted to be open on days and evenings in similar stores that sold the exact same products we're not, to the point where people in the Building Inspection area were out there actually citing store owners because they remained opened when the Zoning Board of Adjustment said they were not permitted to be open.

The law is not equal the way it is today and if want growth from a business point of view in this city, if we want neighborhood business districts to flourish as a focal point within a neighborhood just as the Downtown we want to flourish as a focal business district within the city, we have to let businesses be competitive with each other. Not only with each other in terms of being within the business district itself which today is unfair, but also with other business districts that may border that neighborhood and quite frankly today that does not exist.

(AT THIS POINT I WAS TEMPORARILY RELIEVED BY HELEN L. KRIEBEL)

(CONTINUED ON NEXT PAGE WITH NO LOSS OF CONTEXT)

MARY ANNE HRUSKA
STENOTYPE REPORTER

(MR. WAGNER'S COMMENTS ON BILL NO. 812-Wednesday, 9/26/90)

Mr. Wagner:

I want to clarify in response to Councilman Cohen. The problem in that district and in all "A-1" districts is not just at Christmas time; it is a continuous uncompetitive position of businesses in the city. In talking about Shadyside, because that has been the focal point of this legislation, there is now a new mall under construction in Swissvale that will have similar shops to those in Shadyside and will be open at times when shops in Shadyside are not permitted to be opened, I should state. Consequently, the business and the taxes gained from that business to this city will be lost, will be sent directly out of this city. We have a declining tax base in the City of Pittsburgh, and every single Councilmember knows that. If we want to be able to provide social programs, rehab ball fields, redo streets, we need dollars coming into this city that come from wage tax and business taxes and property taxes. We enhance property values with this legislation, we enhance the value of those stores in Shadyside, we enhance the value of that entire neighborhood and every other single neighborhood in the City of Pittsburgh.

Now, do we sometimes create a minor inconvenience for certain stores? Possibly, yes. I think Councilman Ferlo has indicated that there are ways to address that in other forms of legislation. But the real problem is, are we a progressive city or are we a dying city in terms of revenues coming into it and creating a business climate? I personally think that we have to be going in a positive direction, not one like Philadelphia, where revenues are declining each and every year because they create a negative business climate. We have to create a positive business climate in this city in order for revenues to increase, more businesses to want to locate here and more people to want to live here.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

I'd like to thank Council for their consideration in reviewing this issue and I'd like to work to continue to look at the A-1 issue, especially the other business districts where we have concerns about nuisance and problem businesses. Thank you.

Mr. Cohen:

Mr. President, I don't want to repeat the remarks that I made last week but I do want to say -- Well, let me begin by saying that Councilman Ferlo is perhaps the most vigilant advocate of neighborhood protection before the Zoning Board, but I disagree with him on this bill.

I think that A-1 districts are very unique and special areas. They are not commercial areas which deserve great freedom to compete for customers and they're not completely residential areas which deserve complete protection from commercial interference. They're both. And because they're both, the Zoning Board calls them an integrated intermixture of residential and commercial uses. And because of that special characteristic, I think that a balance has to be struck between those two competing entities. And allowing for unrestricted commercial hours in A-1 districts would unduly tip that balance against the residents. It would not only create increased traffic and congestion and noise, but also the inability of residents who live near A-1 districts to be able to park at their houses.

Several people have said that we need to stimulate economic development in Pittsburgh and nobody believes that more than I do. We have to. But in these special districts, and there are relatively few in the City of Pittsburgh, we have to also remember that this City has lost over half of its population in the last 30 years. And we can't take actions that will make residents leave the City. And when there is that

competition between economic development and protecting the residents, I think we have to fall on the side of protecting the residents. And for that reason, I'm voting against this bill.

Mr. Coyne:

Mr. Chairman, I'm sure, as other Members of Council realize, this has been one of the toughest issues, although maybe not one of the sexiest issues but one of the toughest ones we've had to deal with here in Council.

On the surface it appears to pit the interest of certain neighborhoods against the interest of the City as a whole and it also seems to deal with trying to get rid of the unfair disadvantage that many of our merchants in the City have in comparison to those who are maybe located in the suburbs and suburban malls. It has been, I think, portrayed as one where we have to go with either one side is going to win or another, and I don't believe that necessarily is true.

I believe that a common ground can be reached and one which meets the needs of the City, the merchants and the neighborhoods. But to do this, we need to amend the entire Zoning Code for all business areas, the C-3s, the C-1s and the A-1s. This change must deal with all businesses which are thought to be nuisance businesses to establish an approval process for the Board of Adjustments on how and when these are allowed to operate.

After speaking with yourself, Mr. Wagner, and Mr. Ferlo and with the Administration, I received assurances that we will actively move to make these amendments in the Zoning Code and to make it more equitable for the business owners and make the communities have more input into what businesses are coming into their neighborhoods.

And with these commitments in mind, I

will be changing my vote. I voted last week against Mr. Ferlo's proposal and this week I will be voting in favor of it.

Michelle Madoff:

I think what we're doing is throwing the baby out with the bath water. When people came and testified and they were unjustly treated, somebody was discriminated who sold books and somebody else was allowed to stay open, I think you correct the inequities. You don't impact the community by passing what I think is bad legislation. I don't want to repeat what my colleague, Mr. Cohen has said, but I agree with everything he said.

Mr. Regan:

I would just like to say that it looks like the little flower has another big victory here in Council. If there ever was a guy that I liked and if there ever was anybody I really liked working with, it's Councilman Ferlo.

But I think in tough issues like this you just have to pull your drawers up a little higher and vote the way that you think you should vote, and I'm going to vote against it.

Mr. Ricciardi:

Obviously, Mr. President, I'm very disappointed. I see some of the votes changing today and it appears the bill might pass. And not to be redundant on some of my past comments of last week, I just don't believe it's inconsistent to have a business have different store hours within different parts of the City of Pittsburgh. I just believe that the A-1 section was created as a unique district looking at the abutting property owners and the abutting residential district.

So, I would be voting against the bill because I believe it's very important for the resi-

dents and for the rest of the community to have an impact on the hours that would be in their neighborhoods on a certain business.

The Chair:

I think some Councilmembers' concerns are genuine, such as Mr. Coyne's and the hours, but I think that pertains to all zones, 24-hour convenience stores that are a nuisance to a neighborhood, whether it be a C-1 zone or an A-1 zone or whatever it may be. And I agree; I think that needs to be addressed. However, I also think that the bookstore or the beauty salon that is not permitted to be open when others are permitted to be open, is truly unfair.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 5	NOES 4
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VOTING NO:

Mr. Cohen	Mr. Regan
Michelle Madoff	Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also, with an affirmative recommendation,

Bill No. 1362

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Albert D. Graham, and designated as Block and Lot 2-D-318 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1363

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 49N Lots 127 & 129, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1364

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Calvin L. Sheffield for the sale of Block 22L Lots 190 & 191 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27 (GARAGE CONSTRUCTION)."

Which was read.

Also,

Bill No. 1365

A Resolution entitled, "Resolution authorizing execution of the First Amendment to lease agreement by the between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh, dated November 24, 1976, to provide for a change in the legal description of the leased property in the 12th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Regan presented

Bill No. 1453

Report of the Committee on Public Safety for September 26, 1990 transmitting one ordinance

to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1237

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Six, 'Conduct', Article I, 'Regulated Rights and Actions', Chapter 601, 'Public Order', by regulating the distribution or sale of cigarettes and other tobacco products through vending machines, with certain exceptions, and by providing penalties for the violation thereto." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. President and Members of Council, no doubt you all read the article in the paper that says, "Enforcement of Cigarette Law Low Priority". Well, that is not true.

It appears that the Director of BBI, Mr. Cimino, was misinformed, and he was correct in saying that he could not put it as his priority but it is indeed the high priority of the Administration. I've spoken with them and they intend to have some form of enforcement. Furthermore, I spoke with them only this morning as I was arriving and they are not at all concerned about the lawsuits. They believe that the City can deal with that adequately.

I do want to point out in research in my office with reference to the letter you all received yesterday, the hand delivered letter with reference to restricting vending machines in the City of Pittsburgh from a Leslie and Joseph Cordova of the vending machine interest, let me point out, as my staff has researched, the in-

clines, subways and video arcades use tokens, so machines can be retooled. And when they claim a due process argument, it was thrown out in other states where vending machines were banned in Utah and Minnesota.

Now, it would seem to me that the threat by some of the vendors that they would take all the cigarette machines out of the City is an idle threat. No one gives up the ability to make money when there are machines that they can have.

And my colleague, Mr. Ferlo, amended my original bill to say that we should be reasonable and let those machines stay where they are not easily accessible to minors. This is not my bill anymore. If there is any problem with this, next year I will introduce my bill.

If nothing else happens, at least I've raised the consciousness of people that we do not want our kids on those cancer sticks, on coffin nails.

I also might want to point out that it is indeed now the Administration's bill. We can still introduce my bill next year, but I think we have to show good faith by voting for this bill today because the Administration's bill is tougher than mine. If they feel they can enforce a tougher bill, why should we stop them if we care about our kids?

In the paper this week there was an article, "Black Smokers Urged To Fight For Lives In Warfield By Profit". It was an article by Matthew Smith and I'd like to read something from it. I'm sure that my colleague, Mr. Darkins, is heavily involved in this. He has been on the committees.

It talks about "The Black community will not begin to win the war against smoking and cancer until it realizes that the problem is

not the smokers but the companies that make the cigarettes", a cancer researcher said. "The problem is that the tobacco industry places a higher value on profit than the quality and value of life."

That's what we're all about. We're saying, let's take the first step here today, support the Administration's bill, and let's get on with it.

I want to say something else. I've been doing a lot of thinking about this issue of the small little vendor who is going to be hurt. Close your eyes and visualize a small mom and pop store. And you go into this mom and pop store and you see a vending machine. You're parking your car outside and you just want to get the cigarettes and run. Now, as was stated here the other day by Terry Woodcock, let's assume that people are basically good people, especially people who live in a neighborhood and constantly frequent the mom and pop stores. They're not going to steal cigarettes. So let's deal in the real world.

If you go in and you buy the cigarettes and you run out, you don't buy anything else. But if you go into the mom and pop store and you have to wait while one or two people are there, cause they're not inundated with customers, you might buy something else, or two or three things, and help the mom and pop store.

So, while I love Mr. Ricciardi deeply, I disagree with him on that issue. I think it's a red herring and let's get on with it and vote for this bill and take one step forward in the right direction.

Mr. Coyne:

Mr. Chairman, I initially had supported Councilwoman Madoff's proposal for the banning of the cigarette machines and my position on that still remains the same. However, my dis-

agreement comes with the fact that we're expecting Building Inspection to do a sort of policing action on these machines.

I don't know about the rest of Council, but my office is called daily with vacant buildings, with vacant lots, and the building inspectors, along with having to take care of vending, have these buildings and these lots to take care of. And I think we're stretching the workforce to an unnecessary capacity. And as long as that amendment which was added last week is in place, I cannot support this bill.

Mr. Ferlo:

Mr. Chairman, I think this is a well-intentioned bill. I never smoked cigarettes in my life and it breaks my heart to see young people starting up early, as early as 8, 9, 10 years old smoking cigarettes. I think it's a well-intentioned bill but I think it's bad legislation for a number of different reasons.

First of all, it lacks uniformity. Every single bill that I have participated in in the last three years and the track record of Council in passing legislation, we deal uniformly with an issue. In this instance, we're discriminating against that small businessperson or entrepreneur that happens to use a vending machine as opposed to the continued practice that will be maintained, and that is the over the counter sales of cigarettes to young people.

Secondly, we are establishing a prohibition-like mentality, for those of you who are older than me and probably remember the prohibition period, maybe Mr. Regan does. But the problem is that we are establishing a prohibition-like mentality. And as Mr. Cohen pointed out last week, on our children's playgrounds and schoolyards across the City we're going to have a situation, and I can see it, where the little bully and the little older and the little stronger person

is going to be out there hustling tokens for a profit. And if we don't think that's going to happen, I think we're misguided and misinformed about some of the activities of our young people.

Secondly, the main reason why I'm so concerned in having originally supported the bill is the issue of enforcement. We know for a fact, and let's not fool anybody, Building Inspection Department deals reactively to complaints. It doesn't deal proactively. Once people barrage the Mayor's Complaint Center or Councilmembers' offices, or what have you, BBI goes into gear and goes into action. And we're going to have a situation because there are many people out there who are strong advocates on the issue of smoking, and rightfully so. And they will be inundating BBI with complaints. And BBI will have a responsibility and I think they will indicate, I heard Mr. Cimino on a radio show in the last week, that they will react to those complaints.

So, opportunity calls here. We have limited personnel, limited opportunities to deal with vacant lots, litter, license enforcement, code enforcement, condemned buildings and all those problems. Now we've added one more group of activities, and an activity that is actually going to be much more complicated. It's not as simple as just filing a complaint and BBI is going to issue an instant citation because most store owners and most people who are going to be found guilty of something are going to appeal this and it's going to take up time in Housing Court. This is not a simple thing of somebody getting a citation for \$300 and not object to it with an attorney and tie up the Housing Court and everything else.

So, I have a real concern, obviously, regarding that issue also.

And unlike every other law that we pass regarding enforcement, we collect a fee for it.

And we don't have a fee for this. When we enforce every other license, every other Building Code requirement, we establish a fee that a citizen or an entrepreneur must pay, and that helps to pay for the enforcement mechanism. No such fee has been proposed or even collected or thought of in regards to this enforcement.

So, for all those reasons, I'm voting no, although obviously it's a well-intentioned and worth goal.

Mr. Regan:

I think the bottom line here is whether they want the parent to spank the kid or whether they want the school teacher to spank the kid. Are they interested in children? Are they interested in kids smoking cigarettes? Are they worried about tokens? Are they worried about the prohibition that happened 100 years ago?

I'm saying that we have to do something to protect and help these kids and we're not going to do it by sitting here and arguing about tokens and arguing about who is going to be the enforcer.

I personally think that the Building Inspection people do a good job. They're understaffed, they're undermanned, and they have a lot of things to do. I think they've done a good job with what they've had to work with so far and I think they'll do a good job here. At least it's a start. It's a start to help little boys and little girls and if they're not interested in doing that, then let them vote no. Let them put it on the Record.

Mr. Darkins:

Mr. President, I serve on the Heart Foundation Board and also the Cancer Society Board and as the President of Clean Lung in the Homewood Brushton area, and it's now reaching all over the City of Pittsburgh, I can well see the

ideology for cigarette smoking. It's a very dangerous thing. It's a thing that is killing people with lung cancer, heart disease and so forth.

I can't even conceive within my mind of thinking that this would bring some type of turmoil on the Bureau of Building Inspection for their inspectors to do what they're doing in citing properties, or whatever it is, along with stopping at various stores. I can't see where this would entangle or bring a heavy workload. And if they're going to need more people, budget time is coming and we could put more people on.

I think we're moving in the right direction and that's why I'm for this bill and I'm going to vote yes for it.

Michelle Madoff:

I was trying to be brief but it's obvious that I cannot be, so I'm going to be lengthy. This is not funny; this is very serious business. I really am very disappointed and I'll tell you what I'm really disappointed in. If we have ever seen a Council that has been more responsible than this one, I don't remember it. And I do not believe I have ever seen a Council work so well with the Administration, which has benefitted the community. And I want to talk a little bit later about some things that have happened between Councilmembers and the Administration.

But one thing that hasn't changed, and I plead with you, gentlemen, don't turn off in your minds when you hear a female voice. Let me tell you what I'm talking about. You're going like this, Mr. Coyne, shaking your head. The very first thing I said today when I wanted to be brief about the bill was to say that the Administration is committed to enforcement. And if you read the bill, it doesn't say BBI, it says Public Safety. And I believe it will be taken out of BBI.

But let's assume it stays with BBI. What

difference does it make if the Administration hires two people and puts it in BBI or two people and they put it in Undercover Narcs to inspect at random. We're not talking about hiring an army, if the media is listening. We're not hiring an army that is going to be disruptive and costly to the public. We're talking about the same way they investigate the IRA. It's random checking and it puts the fear of God in the people who are violating the law. They're not going to go out every day to every house. If you have two young people who are of age that can work for the City to wear a pair of jeans and walk into a place and watch and observe our children being cancer sticks, they will report that. And I think anyone hiding behind "we don't want to make it difficult for the taxpayers" ought to remember that the cost on society and the cost to all of us is astronomical.

I just had a little illness which wasn't so little, it was major, and I was in the hospital for three weeks. I wasn't going to talk about this but I get emotional. I just got my bill from Blue Cross, Blue Shield, Major Medical, and it was over \$50,000. What would people do and what do people do who don't have this kind of protection?

I'm going to read something to you.

"All win law. Everybody wins with this ordinance except those who profit from criminal cigarette sales to children. This ordinance is pro-health, pro-child and pro-law enforcement. The City is getting serious about reducing the most prevalent form of illegal drug pushing to our kids, and that's cigarettes.

Cost effective law. For a small, one-time cost to the City, kids' most reliable source of cigarettes, accounting for 75,000 packs annually, will be eliminated.

Precedent already set. Pittsburgh will

now join 60 municipalities and two states, Utah and Minnesota, that have enacted this essential pro-health and pro-child legislation. Are we any less concerned about our kids than other states and other communities?

Legally sound. Although lawsuits have been threatened in each location, these laws have withstood every court challenge. In July, a federal judge upheld the Utah state law which totally banned machines except in bars.

Big city leadership. Pittsburgh will become the first major City to do this demonstrating our national leadership. Philadelphia and Erie City Councilmembers have recently expressed interest in passing this type of legislation in their cities.

Vendors should be thankful. Liquor and prescription drugs cannot legally be sold in vending machines, but the vending machine companies don't complain about those laws, do they? They should thank Mayor Masloff, and Michelle Madoff, I might add, for offering a compromising bill that would permit the option of tokens to be used.

Whose responsibility? City officials shouldn't blame kids for smoking when adult vendors put machines where kids have easy access and the City hasn't enforced the current state laws.

Other drugs comparisons. Nicotine kills 20,000 Pennsylvanians each year, while heroin, cocaine and all other illegal drugs combined kill about 400. If the City can spend hundreds of thousands of dollars trying to prevent a handful of deaths from illegal drugs, the City can spend a couple of thousand dollars trying to prevent thousands of deaths from the deadliest drug."

And I hope that Secretary Sullivan and whoever is the appropriate person in the State of

Pennsylvania starts to introduce legislation to do just what Mr. Ferlo said, which is the next step, have a licensing fee and let's license the sale of tobacco as we do the sale of alcohol. Thank you.

Mr. Ferlo:

Mr. Chairman, first of all, given the issue involved and the vending machines are licensed by the State, I think proper enforcement should be by State government and Federal authorities. They should enforce what is a State and Federal law regarding underage people purchasing cigarettes, be it over the counter or the vending machines. If they did a little enforcement, we wouldn't have to discuss this bill before us today.

Now I'm even more alarmed because, if I understand my colleague, Michelle, she's now saying that it may not be BBI going out to do the enforcement; it may actually be the Police Department. Now I'm getting more gray hair than I already have. Narcs. Now we're going to have narcs and the police out running around the City regarding the smoking vending machines.

The reason why now my blood is starting to boil, in addition to my hair getting grayer, I can take you on any given day, especially this Sunday and I'd like to ask my colleagues to join me on Butler Street, where you will see open drug sales at the AmVets, in front of Sharps Bar, in front of Michael's Bar, and two other places. And if I'm going to go back to my district and say that Council's priority was to have police running around doing smoking vending machine enforcement as opposed to drug sales and a lot of other things that I don't have time to talk about, then I think we all need our heads examined.

Mr. Cohen:

Mr. President and Members of Council, I think we all would agree, even Michelle would

agree, that this bill is far from perfect. It has undergone many forms and I think that personally I liked the original bill best.

But, I also have concerns that I expressed on Wednesday about a black market developing for tokens. That is a concern. I think we need to come back and review. If this bill does pass today, and it looks like it will, I think, we should go back and review in a year or so whether that has happened, whether a black market for vending machine tokens has developed.

But, we have an obligation, a responsibility to protect the health and safety of our citizens. And I was convinced at the public hearing, which was now several months ago, that of the people who die from lung cancer due to cigarettes, the vast majority of them start smoking when they're adolescents. And a very significant portion of adolescents who smoke get their cigarettes from vending machines. That's what it comes down to. And in my view, it's worth taking the risk on some of the concerns that we have to protect the health and safety of those people, especially, more than anybody else, our children.

So, I want to congratulate Michelle for bringing this to Council and, even though it has undergone many different forms, I still think that it's a good bill and we should vote for it.

Mr. Regan:

I just can't believe when we're trying to protect children and young people here, that who as the enforcement officer would change anybody's vote. Maybe we ought to hire the Little Sisters of the Poor over on the North Side that help the elderly. Maybe they could use a little money to enforce this law. I think it's ridiculous who is going to enforce it. I think you're trying to help young people and, whoever enforces it,

we should be behind 100 percent.

I agree with Councilman Cohen that this law isn't perfect by any means and we will fine tune it to be in the best interest of the City of Pittsburgh. But I think it's a good start and I think whoever enforces it will be a good start. Thank you.

The Chair:

It appears to me as if the bill is passing, with the votes here. I think we should have a follow-up report from the Director of Public Safety as to how the bill is being enforced three and six months down the road.

Mr. Ferlo:

Ask them about drug enforcement too.

The Chair:

That obviously is a commitment of Public Safety.

But I think Councilwoman Madoff made a good point that the majority of young people are women who are smoking today. Even though the bill doesn't truly address the problem with young men which is chewing tobacco, which is even worse, and I haven't seen that in machines as of yet, I still think that the bill will, over the long haul, save a few lives in the City of Pittsburgh. It's a good bill.

Michelle Madoff:

Mr. Chairman, just one point that I forgot. Do you know what week this is? Isn't this the week that the President and the world is looking at saving our children? Isn't it a coincidence that this bill would come up now?

Mr. Milliones:

Call the question, Mr. President.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President and Members of Council, as I mentioned earlier, I think it's really refreshing that after 12 years I have observed, and many of my colleagues have, that there seems to be a greater cooperation between the Administration and this Council, and more is happening that is good for the public.

You know, we've all been reading about what the Administration is doing about billboards and how they're finding these billboards suddenly that we haven't collected our dollars for. But let me remind everybody who brought that to the attention of this Council.

It was only when we were presented with a negotiated agreement with Patrick Media with the settlement that research was done by my good friend, Mr. Ricciardi. And thanks to Mr. Ricciardi pointing out the fact that there were billboards in communities that were not collecting taxes, even though our law says that they should be taxed, the Administration picked up the ball and ran with it. But it initiated with the work and research from Mr. Ricciardi.

I just want to point out how it gets triggered here, the Administration picks it up, and something meaningful happens. I think it's important that we point out who really is helping to get some of these things done.

On another matter. We've all been listening to the new budget that is being proposed in Washington and I am outraged, and I hope my colleagues are, that we're going to balance the budget on the backs of senior citizens and Social Security. The bill is going to be going into the Congress and I think it's important that we send a letter to our Legislator saying, please, do not proceed in this manner.

As I stated before, medical bills are killers; senior citizens are not fully covered. Many of our senior citizens live only on the small pittance they get from Social Security and I'd like to make that in the form of a motion that we send a letter, get it signed by all Members of Council and get it out immediately because we don't have much time.

The Chair:

Stating specifically what?

Michelle Madoff:

Stating specifically that we're opposed to the part of the budget which will balance the budget by really hitting up the senior citizens. You know, there's a big lobbying attack by the ARCS and by senior citizens and I'd like to support it as a senior citizen.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

Would we have a wonderful letter drafted or do you want my office to do it, Mike? Do you want to draft the letter? Thank you.

Mr. Ferlo:

Two things, very briefly, Mr. Chairman. I'm happy to be asked and helping to convene an organizing effort to establish a First Annual Halloween Parade and Trick or Treat Night in the Lawrenceville community. It's a community-wide event that I've helped to spearhead with the support of the Boys and Girls Club and Citizens Council and the Lawrenceville Block Watch Network and Arsenal Board of Trade and all the different groups in Lawrenceville.

It's going to take place on Friday, October 26th. It's a parade that's going to be two-pronged; it's going to start at two different locations and meet in the middle at the Boys and Girls Club. It's going to kick off at St. Augustine's at one end of the neighborhood and at St. Kieran's at the other end, meeting in the middle at the Boys and Girls Club for Trick or Treat Night.

If there are any folks listening who would like to still volunteer, our Planning Meeting is tomorrow evening at 7:00 at the Boys and Girls Club in Lawrenceville. A lot of neighborhood excitement has been generated for the parade and I hope to encourage participation.

Secondly, and very briefly, Mr. Chairman, I'm pleased to announce some follow-up progress we've been making on the Equitable Gas Company rate increase.

As Council is aware, I brought this to Council's attention earlier this year. Equitable Gas Company filed with the Public Utility Commission for a \$29.5 million rate hike. It amounted to be about a 10.4 percent rate hike. My office filed opposition papers to the case. We convinced the City of Pittsburgh, the Solicitor, to file as well as other State-wide organizations including the Consumer Advocate to file.

There is a preliminary recommendation from the Administrative Law Judge who formulates a recommendation to the full Commission and I'm pleased to indicate at this point that this particular Administrative Law Judge has rejected the notion of a \$29.5 million rate hike and he is proposing, rather, that only a 5.7 percent increase or a \$16.3 million increase be allowed and recommended to the Commission, who ultimately must vote on this.

In addition, he rejected something that many of the citizens that came out to Council Chambers before the Commission were concerned about, and that was that Equitable Gas wanted to charge a higher rate for the gas during the winter months as opposed to throughout the year and the Judge flatly rejected that notion.

So, on a preliminary basis, I think it's a fair and reasonable review. And to quote the Law Judge, he said that the proposed rate hikes

he found to be unjust, unreasonable, and therefore, unlawful.

So, I guess I'm asking the citizens who are listening to this discussion, there are still several weeks of review by the Commission and I would encourage residents, especially Equitable Gas ratepayers, to write to the Commission individually and collectively to, again, indicate your opposition to what amounted to be a very unfair rate hike by Equitable Gas Company. And those letters should go out in the next couple of months. If you need to know the members of the Commission, their addresses, you can call my office at 255-2140 and receive that information. Thank you.

Mr. Regan:

I called Mr. Ferlo's office this morning, by the way, and got the Lotto numbers. Is that going to be changed?

Mr. Ferlo:

It's 36-FERLO. You can still dial that, Mr. Regan.

Mr. Regan:

Okay.

I'd like to congratulate the owners, managers and Jim Leyland and the Pirate players for a great job well done and I want to wish them well in the Series and hope that Pittsburgh wins the World Series and the Play-offs coming up

with Cincinnati.

The Chair:

Thank you, Mr. Regan, and I'd like to add to that that I'd like to congratulate the residents of the City of Pittsburgh that are one-half the owner of the Pirates because they have really stuck with that team and promoted it more than ever.

Mr. Ferlo:

I think we should buy one of those \$20 banners, Mr. Chairman, for Council Chambers.

The Chair:

It appears as if the public-private buy-out, more than ever today, was the right thing to do.

Mr. Cohen:

Here, here.

Mr. Cohen moved to approve the Minutes of Tuesday, September 25, 1990.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Regan**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, October 9, 1990

No. 39

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, October 9, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins presents

No. 1482 WHEREAS, the Alliance of Black Telecommunications Employees is a professional organization that focuses on the development of minority employees; and

WHEREAS, the overall mission of the Alliance is to encourage the pooling of human and financial resources to enhance professional opportunities within the communications industry; and

WHEREAS, the Alliance has greatly served the corporate community by providing its members with increased educational and cultural opportunities, and

WHEREAS, the Alliance has been graced by the presence of national officers who are hereto officially present the Pittsburgh Charter; and

WHEREAS, the Pittsburgh Chapter is comprised of young, educated professionals who understand their responsibility to their community and to their people.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 5 and 6, 1990 as Alliance of Black Telecommunications Employees Days in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like April Wierzbowski and the other representatives of the family and from the Boys and Girls Club to come up here. I'm very honored, Members of Council, to be offering this resolution.

Mr. Ferlo presents

No. 1483 WHEREAS, April Wierzbowski of Lawrenceville has been named Youth of the Year for the Boys and Girls Clubs of Western Pennsylvania; and

WHEREAS, April is 17 years old, a senior at North Catholic High School, and has been a member of the Boys and Girls Club for five years; and

WHEREAS, the Youth of the Year is selected by a committee of parents, club counselors, and community residents for leadership ability, grades, club activities and volunteer work; and

WHEREAS, as Youth of the Year, April Wierzbowski is a spokesperson for her local club and travels to various club conferences and appeared on the NBC "Today" Show on September 21, 1990 in connection with her participation with the Boys and Girls Clubs of America Youth Summit held in New York City; and

WHEREAS, April Wierzbowski is also President of the Lawrenceville Keystone Club, a division of the Boys and Girls Club that focuses on community service; and

WHEREAS, April's current service project involves her role as a peer leader for SMART MOVES; and

WHEREAS, SMART MOVES is a 10-week program developed by the Boys and Girls Club to teach children and teenagers how to avoid drugs, alcohol and cigarette smoking and is currently funded through a grant of \$15,000 through the Rotary Club of Pittsburgh, and works closely with the FBI's Drug Demand Reduction Program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends April Wierzbowski for her achievements and the honor of Youth of the Year; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh wishes April Wierzbowski and other peer leaders success with the SMART MOVES program.

Mr. Ferlo moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'm very honored to be sponsoring the proclamation. In the last couple of years, I've gotten a lot more active with this organization, the Boys and Girls Club, and it's a very exciting organization that, in my opinion, is experiencing a rebirth in the Lawrenceville community.

One of the programs that I have been really impressed with is the SMART MOVES organization. I spoke there at their Day Camp a couple of weeks ago. There were over 80 or 90 young people. In fact, Dr. Milliones' nephew is a participant in the program. It's a very exciting,

very innovative program to educate young people about the hazards of drugs and alcohol. Council has been supportive in the past of this program and I hope next year that we'll be supportive in the future.

April is certainly a shining light in the organization and she is somewhat of an international jetsetter and a goodwill ambassador for the program. She has been all around the country and it's my understanding that she might be going to Europe.

I'd like to introduce, to my left, April Wierzbowski, the honoree. We also are joined here today by Marcia Zerler who is the Senior Vice President of the Boys and Girls Club. We have a friend here of April's, Michele Pallio. We have Dolly Barie who is the Director of Public Relations at the Boys and Girls Club. And we're very honored with some of the family members of April here today; we have Kathleen Wierzbowski, April's mother, and we're also honored to have Robert Erdelcjac who is the grandfather, and we're even more honored to have Margaret Veselic who is the great-grandmother.

So, at this time I'd like to introduce April Wierzbowski and thank Members of Council.

Ms. Wierzbowski:

I'd just like to thank everyone for recognizing me and I hope you continue to give your support to the Boys and Girls Club so other kids can have the chances that I've always had. Thank you.

Mr. Ferlo:

By the way, she's from North Catholic, Baldy.

We also have Marcia here from the Boys

and Girls Club, Executive Vice-President.

Ms. Zerler:

Just a moment to thank Council for recognizing April because, in effect, by recognizing April you're recognizing the Boys and Girls Club and all the work that we do for the youth in the community.

Your support and believe in the Boys and Girls Club will go a long way, particularly in supporting our SMART MOVES program, which is our drug and alcohol prevention program for youth 8-15. Thank you.

Mr. Millones presents

No. 1484 WHEREAS, the Allegheny Campus Child Development Center has been in operation since September 9, 1981 as a support system for parents/ students, faculty and staff; and

WHEREAS, the Child Development Center curriculum conveys the belief in the rights of the child; educational awareness at an early age; health/safety and preventative methods; and partnership with the community to cultivate the minds of young children; and

WHEREAS, the Child Development Center helps children develop a positive attitude toward self and others; to develop basic school skills; to develop positive feelings for the learning environment; and

WHEREAS, the Child Development Center provides a learning environment to develop children physically, intellectually, socially and emotionally, and one that is stimulating and comfortable, integrating activities in the areas of cognition, perception and problem solving; and

WHEREAS, the Child Development Center encourages teachers and parents to work as partners concerning the growth and development of their children.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in a program on October 10, 1990 to commemorate the Children's World Summit that convened in the United States on September 29 and 30, 1990 and recognizes October 14, 1990 as National Children's Day 1990.

Mr. Milllones moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to have Ms. Bryant and her family come up here. We're going to honor today one of the outstanding educators in the whole United States and I'm lucky enough to be the one to do it.

I hope you don't mind me wearing my Green Weenie today. We need all the help we can get over there.

I'd like to honor Ms. Bryant here today. She's not only a very attractive woman but she's a very, very outstanding teacher.

And Mark Brinkley, if you don't come up here I'm going to have you arrested. This is one of our leaders on the North Side, Mark Brinkley. Come on up here. Where's Franco? Come on up here, Franco. Another North Side leader.

Mr. Regan presents

No. 1485 WHEREAS, throughout his-

tory, the school teacher has formed us from our days of youth to what we are in life. Without eagerness and determination to teach all and devote their lives to all, none of us would be here today; and

WHEREAS, Linda R. Bryant has been actively involved with the Pittsburgh Public Schools as an educator and parent. Presently teaching at Greenway Middle School and formerly at North View Heights Elementary and Allegheny Middle Schools on the North Side; and

WHEREAS, Linda Bryant in 1975 was selected as an outstanding educator in Elementary Education by Who's Who in American Education, in 1983 was nominated for the Kevin Burns Citation for Excellence in Science Teaching, in 1987 was named Pennsylvania Teacher of the Year by Governor Dick Thornburg, and in 1988 in the National Teacher of the Year Linda was named one of the 10 most outstanding teachers in the country; and

WHEREAS, Linda R. Bryant in 1990 was selected by the United States Department of Education as 1 of 3 teachers in the Nation to serve on the National Governing Assessment Board to set policy for the progress of education in the United States, which she will serve through 1994; and

WHEREAS, Linda R. Bryant supports her community by being first Vice President of the Board of Directors for Urban Youth Action Inc., Board of Trustees at Park Place A.M.E. Church in Homestead, Sponsor for the Charles Drew Science Fair and National Technical Association, Sponsor for the Pennsylvania Junior Academy of Science and Sponsor for the Pittsburgh Regional Engineering Program; and

WHEREAS, Linda R. Bryant has appeared on the Morning Program with Della

Crews, WPXI, Pittsburgh Talk Shows, Chris Moore, WQED, Pittsburgh Magazine and recently appeared on the CBS Morning News with Harry Smith and Paula Zahn; and

WHEREAS, Linda R. Bryant is the wife of Dr. Roosevelt Bryant, a Federal Investigator for the Equal Opportunity Commission and is the mother of Onaija, a tenth grader at Perry High School, and Jay, a fifth grader at Liberty Elementary.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims October 9, 1990 as Linda R. Bryant Day in the City of Pittsburgh in honor of the #1 Teacher in the #1 City. "IT COULD ONLY HAPPEN IN AMERICA."

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

I thought they were sisters but this is mother and daughter. Linda, would you do us the honor of saying a few words?

Ms. Bryant:

To our Honorable Members of City Council, good morning.

I would first of all like to give thanks to God for making this all possible, and then thanks to each and every one of you. I am honored to be recognized for my achievements in the teaching field.

One of the greatest inspirations in my life has been the 19 years that I have spent teaching the young citizens of Pittsburgh. Your

recognition of me today will inspire me to greater heights to continue to teach and encourage our youth so that they will be able to master the challenges that they face as they become the future leaders of this great City.

I thank you for the support you have given our City and our school system, and I especially would like to thank Dr. Milliones for the leadership he has given us that resulted in the national recognition that our school system has received.

As I move to the national forefront in education, I do so with the pride of being a Pittsburgher. It is with this Pittsburgh pride that I know together we can make a difference in the lives of our children.

Once again, I thank you and may God continue to bless each and every one of you as you go about your task of continuing to make Pittsburgh that No. 1 City. Thank you very much.

Mr. Regan:

Now you see why they named the North Side the No. 1 District.

Michelle Madoff:

Can we put you the a Xerox?

Mr. Regan:

Could I have the Fire Prevention people up here, please?

Mr. Regan presents

No. 1486 WHEREAS, eighty percent of all fire fatalities in the United States occur in homes; and

WHEREAS, changing risky behaviors and identifying and removing home fire hazards would prevent the majority of home fire fatalities; and

WHEREAS, hunting for home hazards is something every member of the family can do; and

WHEREAS, a home fire escape plan, showing two ways out of each room, and knowledge of basic fire safety behaviors such as crawl low under smoke and stop, drop and roll can save lives; and

WHEREAS, the Pittsburgh Department of Public Safety Bureau of Fire, is dedicated to the safety of life and property of its protected citizens from the devastating effects of fire and recognize the value of proper planning and preparedness before fire strikes; and

WHEREAS, the designation of Fire Prevention Week will serve to educate the people of Pittsburgh, Pennsylvania about fire prevention and what to do to avoid being confronted with a fire emergency; and

WHEREAS, it is especially appropriate this week to recognize the value and the accomplishments of Pittsburgh's Firefighters, especially those whose work supports fire safety education programs, the hydrant testing program, the highly successful company inspection program, and other preventive measures.

NOW, THEREFORE, BE IT RESOLVED, that the Members of Pittsburgh City Council, in recognition of this event, does hereby declare the week of October 7-13, 1990 as Fire Prevention Week in the City of Pittsburgh and encourage the citizens of this City to observe this week by doing as the fire prevention theme for 1990 suggests - Make Your Place Fire Safe; Hunt For Home Hazards.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Chief Dickinson:

President Wagner, Members of Council, having come from this morning about 4:00, it started somewhere around 2:30, another 4-alarm fire, let me tell you, the presence of fire is still among us in this City.

If you recall last year, we had rather a grim message at this time of the year. From our perspective, particularly these three gentlemen I'll introduce in a moment, things were not being well attended to by the public with fire safety education. Perhaps the hardest sell in this country is what fire safety education is all about.

But for a change of pace, we're going to talk for a few short minutes some positive things about what has occurred over the past year, and there has been a lot of positive things. These three gentlemen standing to my left may not look like heroes to you, but they are in my eyes because they have one of the most difficult jobs that anyone can have, and that's education in fire safety and enforcement of the Code, the Fire Code particularly.

On my immediate left, Captain Robert Freel deals on a day to day basis with Code enforcement issues in the City. A very sensitive job.

On his immediate left is Captain Richard Cunningham who heads up our Fire Education Program throughout the City.

On the far left is Lieutenant Robert Walker who coordinates on a day to day basis

one of the most successful company inspection programs that I can't rave high enough about.

The success that we've experienced this year, I want to give you two pieces of information. At the end of 1989 we lost 23 people in this City, primarily infants, young children and the elderly. This year to date, and I'm almost afraid to say this as we have literally two and a half months to go, our fire deaths are at six. That's a tremendous difference. We know in our business that it can be a cycle, that it can go up and down. We realize that.

But we are beginning to believe that the public is finally beginning to hear something. We hope it's us. We're not sure. We'd like to take credit for it. We hope and pray that's the case.

The other part of the good news is with the lower fire deaths there's lower fire injuries, those debilitating injuries that last a lifetime. Remember, a broken bone you recover from; a major burn injury you live with for the rest of your life.

So those are good news. But perhaps the most important thing that I wanted to share with you this morning is an article that I am immensely proud of. There is a leader in the fire service known as the National Fire Protection Association, the NFPA. We just received this September 24th. I won't bore you with the cover page but it's submittals by fire departments all over the country on successful education programs. We have a star among us. Let me read to you:

"Jennifer Warrick, Pittsburgh, PA. When Jennifer awakened at 2:30 a.m. to the smell of smoke, she knew she had to take action to alert her parents.

Though heavy smoke filled the house,

all five members of the family managed to escape safely and dial 911 as the smoke detectors began to sound. Responding firefighters quickly located the fire inside the wall behind the living room fireplace and extinguished it.

Jennifer attributed her fire safety knowledge to the lesson she received from a firefighter at our Headstart class at the Stephen Foster Center in Pittsburgh. Lives saved - 5."

That's a win, folks. That's a big win.

Michelle Madoff:

My congratulations to all of you, but I might like to share some happy information with you too. This Council has worked very hard and very closely with the Fire Department.

Do you recall years ago when I introduced legislation for multiple dwellings to have a smoke detector and you one-upped me and did a better job by mandating, according to federal law, that we would have one in every house. It was so difficult to get that passed, but with the cooperation of the Fire Department and Council, we got that passed.

The good news now is -- The fire you did last night was a vacant property belonging to the City, as I recall. And there's new legislation now which, of course, would not apply to the City but we better set an example, that if any landlord, even an absentee landlord out of state, doesn't maintain his property, we can now fine him \$1000 a day or anybody in the City who doesn't meet the Code, and we can lien the property even if he or she is not in the City. That is major progress.

That legislation went on the books in '88 and '89 and it just got into place now. I think with that kind of input we could all do a much better job and this is another example of the Ad-

ministration, Council and the Fire Department working together and I'm delighted.

Mr. Regan:

Thank you, Michelle. And thank you all very much. I never met a man that didn't like a fireman. Did you ever hear anybody rap a fireman?

Now I'd like the Parents Without Partners to please come up here.

Mr. Regan presents

No. 1487 WHEREAS, Parents Without Partners is an international, non-profit membership organization devoted to the welfare of single parents and their children; and

WHEREAS, Parents Without Partners was founded in 1957 in New York City by 2 single parents in a church basement, and it now has over 135,000 active members in the United States and Canada; and

WHEREAS, all chapters are run by volunteer members who assume a variety of leadership roles that include three balanced areas: 1) educational activities; 2) family activities; 3) social-recreational activities; and

WHEREAS, the Pittsburgh Chapter with over 2,500 members holds monthly meetings, dances, family picnics, community service programs, hiking, tots program for children through age 6, buddies and pals ages 6-11 and international youth council for teens.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Parents Without Partners for their inspiration in forming this great organization, and hereby proclaims the week of October 6-13, 1990 as Parents Without

Partners Week in the City of Pittsburgh.

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

See, the whole Council agrees and you don't get that that often.

But I'd like to congratulate you people on doing such a great job. We want you to know that you've made a lot of people's lives very happy.

I have a resolution and I'd like you to come up and say a few words.

Ms. Michelle Waldorf:

I've only been in the organization since December. People, 30 years ago, started this and I thank God that it's here, and I hope to God and I expect it to be here 30 years from now if my children or my grandchildren or anybody's here needs us. The organization will stand because we are very strong.

Butch Keenan, President of our Pittsburgh Chapter, has worked extremely hard as well as the other Board of Directors of the Pittsburgh Chapter, to keep us going and keep us where we are now.

What you have done as a service to us here today is only the very beginning. We're reaching out to other people and we couldn't do that without people like you. This is very important.

We thank you on behalf of the City of Pittsburgh, other chapters in Pennsylvania, the

5,000 members in Pennsylvania. This is really, really important and this one is for Pittsburgh. Thanks.

The Chair:

Thank you all.

We now have a joint resolution to be presented by Councilman Coyne and Councilman Ferlo.

Mr. Coyne:

I'm pleased to have with us today Leo Bigley and Bob Fleischel from the Plumbers Union.

Mr. Coyne and Mr. Ferlo present

No. 1488 WHEREAS, Plumbers Local Union No. 27 was founded in the year 1870 and associated itself with the Knights of Labor and the American Federation of Labor; and

WHEREAS, on October 13, 1890, the Plumbers Local Union No. 27 was officially chartered with the United Association of Journeymen and Apprentices of the Plumbing & Pipefitting Industry of the United States and Canada, an International Union; and

WHEREAS, the original membership consisted of 90 craftsmen; and

WHEREAS, the Officers of the Chartered Membership were Michael Joseph Counahan, Edward Welch and James McKee; and

WHEREAS, other officers associated with the Plumbers Local Union No. 27 of by-gone days were: Slatery, Kennelly, Driscoll, Mahoney, Lee, Coll, Toole, Beckett, March, Wiseman, Savage and Anderson; and

WHEREAS, the following have served as Paid Officers in the capacity of either Financial Secretary, Business Agent or Business Manager since that great day of October 13, 1890: James J. McKee, John F. Counahan, John F. McCaffrey, Charley Lawrence, Francis T. Johns, John F. Landy, Vince Leffler, Joe Steimer, Joe Allen, William Wiseman, Joe Holleran, Robert Slater, Tom Madigan and Jim McManama; and

WHEREAS, the present Paid Officers of the Plumbers Local Union No. 27 are: Andrew B. Hovanec, Business Manager; Leo P. Bigley, Business Agent; and Robert C. Fleischel, also Business Agent; and

WHEREAS, thousands of men and women have been installed as members of Plumbers Local Union No. 27; and

WHEREAS, presently there are 1,050 members on the cash sheets, servicing new construction, remodeling, residential and commercial and industrial plumbing and pipe fitting.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims Saturday, October 13, 1990 as Plumbers Local Union No. 27 Day in the City of Pittsburgh, which is also the day they will be celebrating with an Anniversary Dinner-Dance at the Downtown Pittsburgh Hilton.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

Thank you, Members of Council. I'd like to have Leo and Bob say a few words.

Mr. Bigley:

Thank you, Mike. I want to thank the City of Pittsburgh and Council for this very nice honor.

I also want to remind you of our close co-operation with the municipalities. During our flood in the North Hills, our Plumbers Union turned out an unlimited amount of plumbers who worked free to hook up gas service lines, hot water heaters, twice.

We went out and brought the hay in. When we had a drought down south we sent plumbers out to Round Hill Park to harvest hay.

During the Big Freeze in the City of Pittsburgh we sent our men into the streets to thaw pipes, take care of the service lines for the senior citizens.

Recently, in the last six months, there was a concern about Legionnaire's Disease in our municipal hospitals and buildings, and the Plumbers Union sent out to the respected municipalities a pledge of unlimited numbers of skilled plumbers if needed.

In closing, I'd like to say that if there are any young people who are interested in the plumbing business, we're 100 years old. It's a very good trade. Like the fireman protects your safety, we protect the health of the nation.

Recently I read a letter to Dear Abby. It says:

"Dear Abby: My mother and dad want me to go to college but I would rather take up the plumbing trade. What should I do?" She says, "Become a plumber."

A society that condemns plumbing because it's a humble trade and exalts philosophy

because it's a noble profession will neither have good plumbing nor good philosophy. Neither one of its pipes will carry water.

Mr. Fleischel:

I'd like to thank you very much for this opportunity to receive this proclamation on behalf of the Plumbers' Union.

It's with great honor and great pride that I'm a Paid Officer of Local 27. I'm following in the footsteps of my family that have been in the Local 100 years. So, I should say they were my predecessors and my teachers in more than one way.

I would like to tell you that this here proclamation will be bestowed right out to our membership. We have a Regular Order of Business Meeting tonight and I'm sure that they will be proud of receiving it, having it read to them, as I am of receiving it. Thank you very much.

Mr. Regan:

Mr. Bigley, we bet the Council of Cincinnati over this big series we have going, we bet them some products and the loser has to personally deliver it to the other Council. The President of their Council is an ex-plumber so I would like some of your plumbers here when they deliver that stuff to us. When the Cincinnati guys bring that food up here for us to eat, we'd like to have the representative of the Plumbers' Union here.

Mr. Bigley:

Alright, Baldy, we'll pledge a bathtub and you can carry that.

The Chair presents

No. 1489 WHEREAS, the "Gift of

Time" Campaign organized by the American Family Institute at Valley Forge is devoted to increasing public awareness and the need for parents, teachers and caregivers to share more personal and positive time with children and youth as a result of the potential for parental neglect associated with the hurried lifestyles of the 90's; and

WHEREAS, the American Family Institute was founded in Pennsylvania as a parent-directed, family-oriented association of partnerships committed to building stable, loving family units which can serve as the indispensable foundations for nurturing the physical, emotional, academic and spiritual needs of children and youth; and

WHEREAS, the "Gift of Time" Campaign is committed to establishing state, country and community partnerships which include leaders and representatives from school, business, family agency and governmental units dedicated to action-oriented programs which can bring reminders, recognition and renewal to parents, teachers and caregivers on the need to approach and relate to children in positive and caring ways; and

WHEREAS, the American Family Institute has organized and established an award-winning process and program which brings public attention and recognition to many thousands of Pennsylvania parents, teachers and caregivers at Host Hotel ceremonies scheduled throughout the Commonwealth through written "Gift of Time" tributes processed through participating schools, corporations and agencies - tributes which affirm how individuals are making differences in the lives of our children and youth; and

WHEREAS, the American Family Institute, through its newly created "Family Time" Calendar of positive parenting activities which

will serve as a lifetime keepsake for families to cherish, anticipates outreaching to 100,000 PA family units in 1991.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 14-20, 1990 as "Gifts of Time for Children Week" in the City of Pittsburgh in support of this statewide initiative which reaffirms the central role of the parent in child development and which brings added meaning to National Children's Day celebrations declared by Congress for the second Sunday of October, reminding citizens that children represent our nation's future.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presented

No. 1457 Resolution amending Resolution No. 278, effective March 21, 1990, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Major Repairs and Emergencies including, but not limited to Phillips Park Recreation Center in Council District #4; and providing for the payment of the costs thereof," by increasing the total project allocation by \$43,241.40 from \$85,000.00 to \$128,241.40.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1458 Resolution amending Resolution No. 640, effective July 5, 1990, entitled, "Providing for the letting of a Contract or Contracts for the furnishing and delivery of a Trash Collector/Sweeper and a Gang Mower

and providing for the payment thereof," by increasing the total project allocation by \$50.00 from \$30,000.00 to \$30,050.00, chargeable to and payable from Capital Project Fund #4-30-01-0001-87 (GS87-03), Index Code 370338, Misc. Equipment for City Departments (Bond Fund), Department of General Services.

Also,

No. 1459 Resolution further amending Resolution No. 1061, effective January 1, 1990, entitled, "Resolution adopting and approving the 1990 Capital and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by increasing Project 228 (Bureau of Repairs and Operating Maintenance) by \$50,000.00 from \$400,000.00 to \$450,000.00.

Also,

No. 1460 Resolution amending Resolution No. 243, effective date 3-20-90, entitled "Providing for the letting of a Contract or Contracts, or to exercise against existing Contract for various repairs and renovations to the City Facilities, and providing for the payment of cost thereof," by increasing the total project allocation by \$20,000.00, from \$200,000.00 to \$220,000.00, chargeable to and payable from Capital Account 3-30-01-0003-90 (1989 Project Fund), Index Code 830109, Bureau of Repairs and Operating Maintenance, Department of General Services.

Also,

No. 1461 Resolution providing for the letting of a Contract or Contracts, or to exercise against existing Contracts, for various repairs and renovations to City facilities, in the amount not to exceed \$83,000.00 chargeable to and payable from Capital Account 4-30-01-0003-86

(Bond Fund), Index Code 370510, Bureau of Repairs and Operating Maintenance, Department of General Services.

Which were severally read and referred to the Committee on General Services.

Mr. Darkins presented

No. 1462 Resolution accepting the dedication of certain property of the Shadyside Plaza Associates, Ellsworth Plaza, to be used for a sewer easement and accepting the sewer therein, and abandoning the 15" sewer in the vacated Tay Way in the 7th Ward, 8th District, of the City of Pittsburgh.

Also,

No. 1463 Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental Resources for the purpose of granting the Department of Interior and the Department of Environmental Resources, a right of entry into, over and upon certain lands owned by the City of Pittsburgh in the 19th Ward, a license and right to install mine drainage piping.

Also,

No. 1464 Resolution adopting Official Sewage Facilities Plan for - South Side Local Development (Edwards Court).

Also,

No. 1465 Resolution further amending Resolution No. 1061, effective January 1, 1990, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995

Capital Improvement Program; by increasing a line item.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1466 Resolution vacating McKeever Avenue from vacated Katherine Street Ord. 319 of 1957 westwardly 100 feet to a point by 40 feet in the 26th Ward, 1st Voting District of the City of Pittsburgh. The petitioners, Craig M. Melichar, 825 Maginn Street, Pittsburgh, PA 15214 has requested this vacation for sideyard convenience.

Also,

No. 1467 Resolution vacating Clearview Avenue from Noblestown Road eastwardly 138.79 feet more or less to a point in the 28th Ward, 2nd Voting District of the City of Pittsburgh. The petitioners, Albert J. Breit & Naomi Breit, 1819 Noblestown Road, Pittsburgh, PA 15205 have requested this vacation for sideyard convenience.

Also,

No. 1468 Resolution granting unto 930 Penn Avenue Building, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a

moveable platform dock on a portion of the right-of-way of Exchange Way in the 2nd Ward, 6th District of the City of Pittsburgh. This request is made by Mr. Hahn that due to the nature of their business the loading dock is required and with the area in question the only thing that will work is a moveable platform.

Also,

No. 1469 Resolution granting unto Presbyterian University Hospital, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a pedestrian bridge over a portion of the right-of-way of Darragh Street in the 5th Ward, 8th District of the City of Pittsburgh. This request is made by the University of Pittsburgh to tie their buildings together by a pedestrian bridge. The Art Commission has approved the design.

Also,

No. 1470 Resolution granting unto Elvidio Grande, 5301 Fifth Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a handicapped ramp and planter box on a portion of the sidewalk of St. James Street in the 7th Ward, 8th District of the City of Pittsburgh. Mr. Elvidio Grande has requested this encroachment as a free and convenient access to the building by all persons.

Also,

No. 1471 Resolution granting unto R.A. Capone, 510 South Aiken Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street parking area on a portion of the right-of-way of Commerce Way in the 8th Ward, 9th District of the City of Pittsburgh. This request is made by Dr. Capone

that due to the volume of business at this address, the additional parking is required.

Also,

No. 1472 Resolution granting unto West Penn Hospital, 4815 Liberty Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning over a portion of the sidewalk of Liberty Avenue in the 8th Ward, 8th District of the City of Pittsburgh. This request is made by West Penn Hospital and the awning will be over the Mellon Pavilion entrance.

Also,

No. 1473 Resolution granting unto Anthony and Doris Warywoda, 1122 Clare Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a set of steps on a portion of the sidewalk of 46th Street in the 9th Ward, 7th District of the City of Pittsburgh. This request is made by Mr. Warywoda that due to the construction of his new porch, the only place for the landing is 46th Street.

Also,

No. 1474 Resolution granting unto Michael Thomas, 4400 Sweetbay Street, his successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, a sideyard and fence encroachment on a portion of the right-of-way of Bronze Street in the 31st Ward, 5th District of the City of Pittsburgh. This request is made by Michael Thomas. He would like to use this unimproved portion for recreational purposes.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1475 Resolution approving an Agreement by and between the URA of Pgh. and Homewood-Brushton Revitalization and Development Corporation, in which the URA of Pgh. will provide financial assistance in the amount of \$100,000.00 to Homewood-Brushton Revitalization and Development Corporation for site work for residential units to be constructed in the City of Pittsburgh, payable from the Neighborhood Housing Fund. This Agreement will provide financial assistance for site work to facilitate the residential development of fifteen (15) single family for sale townhouses on vacant parcels of land bounded by North Homewood Avenue, Nadir Way and Clawson Street in the Homewood South Section of the City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1476 Resolution providing for the transfer of funds totalling \$20,000.00 as follows: \$10,000.00 from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water, Administration Division, and \$10,000.00 from Code Account 1977, Index Code 197707, Utilities, Purification & Pumping Division, to Code Account 1971, Index Code 197103, Premium Pay, Purification & Pumping Division, Department of Water. This transfer is necessary because of insufficient funds due to the Buckeye Oil Spill and due to payment of employees in acting positions.

Which was read and referred to the Committee on Finance.

Michelle Madoff:

Unless you read the legislation, Mr. President, you don't know the reason that they're

making the transfer is that Buckeye Spill is what caused the need for the additional dollars.

I think when we get that kind of legislation, we need to have attached to it, and I wrote a note for you to check, Mike, the issue is are we being reimbursed from Buckeye. What is the status of that? Have we received any money? When will we get it?

I don't want to put the money in without knowing that we're going to get reimbursed.

The Chair:

Would you like to suspend Rule 8 on that?

Michelle Madoff:

No.

Mr. Milliones presented

No. 1477 Resolution amending Resolution No. 886 of 1987 entitled "Resolution providing for an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh, Richard Caliguiri, Eugene DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et al. v. City of Pittsburgh, et al., filed in the United States District Court for the Western Pennsylvania at C.A. No. 86-173, " so as to increase the amount authorized from \$165,000.00 to \$200,000.00, payable from Code Account No. 1075, Miscellaneous Services, Department of Law, Index Code No. 107508.

Michelle Madoff:

Point of Order. I just want to check what that bill was about.

The Chair:

Everyone is getting a copy of the bill and Rule 8 has not been suspended so I'm sure everyone will have sufficient time to review it.

Also,

No. 1478 Resolution amending Resolution No. 65 of 1990 entitled, "Providing for an Agreement or Agreements with a Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings," by increasing the authorized amount from \$3,000.00 to \$7,000.00, chargeable to and payable from Code Account No. 1100 (110007), Miscellaneous Services, Department of Personnel and Civil Service Commission.

Which were read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1479

Report of the Committee on Finance for October 3, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1408

A Resolution entitled, "Resolution providing for the transfer of funds totalling Ninety Thousand

(\$90,000.00) Dollars from Code Account 1922, Index Code 192203, Miscellaneous Services, Administration Division, Department of Water, to Code Account 51, Index Code 0051-08, Postage, Department of Finance."

Which was read.

Also,

Bill No. 1409

A Resolution entitled, "Resolution providing for the transfer of funds totalling Twenty-Two Thousand (\$22,000.00) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water, Administration Division, Department of Water, to Code Account 44-1, Index Code 004416, Unemployment Insurance, Department of Finance."

Which was read.

Also,

Bill No. 1410

A Resolution entitled, "Resolution providing for the transfer of funds totalling Five Hundred Thirty-Four Thousand and Fifty-Nine (\$534,059) Dollars from Code Account 1922, Index Code 192203, Miscellaneous Services, Department of Water, as follows: The transfer of Four Hundred Sixty-Seven Thousand, Five Hundred and Fifty-Nine (\$467,559) Dollars to Code Account 1154-1, Index Code 115410, Rental of Motorized Equipment, Department of General Services; and the transfer of Sixty-Six Thousand Five Hundred (\$66,500) Dollars to Code Account 1132-2, Index Code 1132-25, Telephone Expense, Department of General Services."

Which was read.

Also,

Bill No. 1413

A Resolution entitled, "Resolution amending Resolution No. 319 effective April 13, 1989, entitled 'Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh and providing for the payment of the cost thereof not to exceed twenty thousand dollars (\$20,000.00), chargeable to and payable from Code Account 1017, Miscellaneous Services, Index Code 101709, Mayor's Office' by increasing the authorized amount from \$20,000.00 to \$35,000.00."

Which was read.

Also,

Bill No. 1414

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1480

Report of the Committee on Public Works for
October 3, 1990 transmitting sundry resolutions
to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1395

A Resolution entitled, "Resolution changing the
name of Sacramento Avenue from Vienna
Street to Strickler Street in the 20th Ward, 2nd
District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1396

A Resolution entitled, "Resolution changing the
name of Jacobs Way from Brosville Street to its
deadend in the 16th Ward, 3rd District of the
City of Pittsburgh to Saint Joseph Way."

Which was read.

Also,

Bill No. 1397

A Resolution entitled, "Resolution changing the
name of Behrens Way from Highman Street to
Valora Street in the 20th Ward, 2nd District of
the City of Pittsburgh to Highman Street."

Which was read.

Also,

Bill No. 1398

A Resolution entitled, "Resolution changing the
name of School Way from Sherrod Street to
Cessna Way in the 9th Ward, 7th District of the
City of Pittsburgh."

Which was read.

Also,

Bill No. 1399

A Resolution entitled, "Resolution changing the
name Monastery Street from the mailbox in
front of St. Paul's Monastery to 18th Street in the
16th Ward, 3rd District of the City of Pitts-
burgh."

Which was read.

Also,

Bill No. 1400

A Resolution entitled, "Resolution changing the
name of Buchanan Street, the 1300 block to
Lowrie Street in the 24th Ward, 1st District of
the City of Pittsburgh."

Which was read.

Also,

Bill No. 1401

A Resolution entitled, "Resolution granting unto Patricia L. Stockline, 58 St. Michael Street, her successors and assigns, the privilege and license to construct, maintain and use at her own cost and expense, a porch on a portion of the right-of-way of St. Michael Street in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1402

A Resolution entitled, "Resolution granting unto Joseph R. Martinelli, 1750 Fingal Way, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a driveway over a portion of the right-of-way of Fingal Way in the 20th Ward, 2nd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1403

A Resolution entitled, "Resolution granting unto Richard Abrams, 7524 Carriage Lane, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a sanitary sewer line in a portion of the right-of-way of Hauser Way in the 7th Ward, 8th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1404

A Resolution entitled, "Resolution granting unto Pittsburgh Allegheny County Thermal, 535 Smithfield Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) vaults and a line on a portion of the sidewalk and street of Penn Avenue in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1405

A Resolution entitled, "Resolution granting unto Presbyterian-University Hospital, 3515 Fifth Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an elevator lift on a portion of the sidewalk of Meyran Avenue in the 4th Ward, 8th District of the City of Pittsburgh. (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1406

A Resolution entitled, "Resolution granting unto 301 Smithfield Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) bulkhead walls under a portion of the sidewalk of Third Avenue in the 1st Ward, 6th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1481

Report of the Committee on Engineering and Construction for October 3, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1388

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as 'Fulton Theater Renovations' (FTR) for the deposit of funds to be used for the Renovations of the Fulton Theater."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1389

A Resolution entitled, "Resolution providing for a Contract or Contracts, or use of existing Contracts for miscellaneous repairs to streets and structures; and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1390

A Resolution entitled, "Resolution amending Resolution No. 520, effective June 23, 1989, entitled 'Authorizing the submission of applications to the Commonwealth of Pennsylvania, Department of Community Affairs for financial assistance for Fulton Theater renovations, 'by amending Sections 4 and 5 by adding the authorized Director of the Department of Engineering and Construction, and by amending Section 5 to include a dollar amount for the agreement and a Code Account from which to pay it."

Which was read.

Mr. Ferlo:

Mr. President, in regards to Bills 1388 and 1390 regarding the DCA application request for funds regarding the Fulton Theater Renovations, I just want to go on record objecting to this and ask that my comments be brought forward.

Mr. Cohen:

I would also like my comments to be brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(MR. COHEN'S REMARKS ON BILL NOS. 1388 and 1390-10/3/90)

Mr. Cohen:

Director, if you could explain what the Fulton Theater Renovation Trust fund is, who owns the Fulton, and what the plans are for this.

Mr. Sciulli:

Basically this is a Phase I contract for the restoration/renovation of the Fulton Theater. I believe that the theater is owned by the Pittsburgh Cultural Trust. Essentially the Department of Engineering and Construction is responsible for the disbursement of funds in this case. There is a very large amount that is being donated privately, and the Department of City Planning has applied for a \$200,000.00 grant from the Department of Community Affairs from the State of Pennsylvania. And bill 1388 essentially creates the trust fund so that we can go through and disburse the money in the appropriate manner, because we will have someone that will be assigned to this project from an inspection standpoint.

Mr. Cohen:

So no city money is involved?

Mr. Sciulli:

Not on Phase I.

Mr. Cohen:

Will there be on any phases?

Mr. Sciulli:

I don't know. I am not aware of what is involved in Phase II.

Mr. Cohen:

Has the Department of Community Affairs committed to any funds at this point?

Mr. Sciulli:

\$200,000.00, yes.

Mr. Cohen:

What is the long-term plan for use of the theater, what is it going to be?

Mr. Sciulli:

Basically as I understand it, the Phase I construction will include work to be done on the theater to meet code, so that the theater can be transformed into entertainment for the performing arts.

Mr. Cohen:

We discussed that yesterday a little bit. So it will not be used as a movie theater after this?

Mr. Sciulli:

That is what I understand.

Mr. Cohen:

What is the time line on the rehabilitation of this theater?

Mr. Sciulli:

I am not aware because we haven't been given the scope at this point in time; it is being handled by the Pittsburgh Cultural Trust. And once they are ready to go, we will be asked to step in and help manage the project.

Mr. Cohen:

As far as you know, the Pittsburgh Cultural Trust is behind the conversion to the performing arts and feels there is enough of a demand to accommodate it?

Mr. Sciulli:

Apparently.

(DELETED TEXT)

Mr. Cohen:

Director, since this is applying for state money, do you have any problem working with Council to make the same type of application for Regent Theater?

Mr. Sciulli:

I have no problem with that. Basically those applications go through City Planning. We are just the department that is responsible for management and disbursement of the funds. But I would be happy to work with Council on Regent Theater, also.

Mr. Cohen:

You raise a good point. We should use this as a means to start the process to do the same kind of application for that theater. I agree with the Chair: If we start pitting one against the other, there is no end to this.

(End of Comments)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

(MR. FERLO'S REMARKS ON BILL NOS. 1388 and 1390-1/3/90)

Mr. Ferlo:

Mr. Chairman, last year this bill came up in regards to public subsidy support for the Pittsburgh Cultural Trust, Fulton Theater. I voted no last year. I don't object and I certainly applaud the efforts of the Cultural Trust to renovate the theater. My objection comes from the limited capital that we have in Harrisburg. I resent the fact personally that we have applied for a \$200,000.00 grant from the State Department of Community Affairs. And historically, these DCA grants have been used by the park system and city government to assist park reconstruction and development at the neighborhood level.

Again, I wish the Fulton Theater project well, but in terms of where this money is coming from, I am not voting for this, because I think if there is any likelihood of getting private trust or private foundation support, it is the ability of the Cultural Trust to get that for the Fulton Theater, as opposed to the renovations of a similar project in East Liberty, the Regent Theater, which is hard pressed for funds.

Secondly, the money is coming from DCA and it is at the expense of funding of neighborhood park reconstruction, of which I can think of several parks, not only in my district but throughout the city. So I am voting no on the principle as to where this pot of money is coming from and the priority issue, one priority being given to greater recognition than things that have gone on in the past. So I am voting no on the basis of where this money is coming from. I think if I were going to vote for a theater, I would rather vote for the money for Regent Square as opposed to the ability of the Cultural Trust and the Downtown Fulton Theater to be more likely a project that the private foundation community would support. Other than that, I wish the project well.

Mr. Chairman, just to clarify, because I agree with you entirely, I am not trying to pit Fulton versus Regent. I am trying to point out that historically city government has been able to use these DCA funds, these pot of monies have been used to augment capital infrastructure repairs at the park level throughout the neighborhoods. I was only using the Regent Theater as an example, but I am not proposing one more worthy than the other. I am saying where the money happens to come from and who best has the resources to raise money from the foundation community.

(End of Comments)

(Transcribed by Helen L. Kriebel, Stenotype Reporter)

Mr. Ferlo:

My main objection has to do with the pot of money that the Department of Community Affairs funds have traditionally been applied for by various departments within City government, specifically the Parks Department. The DCA state funds are used to make needed repairs in the parks system in the City and also primarily DCA funds have been used in low and moderate income communities.

The Fulton Theater Renovation Project is a worthy project but I do think that the Pittsburgh Cultural Trust and others within that organization have a better chance to raise funds and resources within the foundation community, within the corporate community. And also, I think, given the fact that the Fulton Theater will basically be income generating, I think they should apply for a traditional business assistance loan from the Urban Redevelopment Authority.

So, for those reasons and not the reason that I'm against the project, I'm voting no on 1388 and 1390. And I think it's a question of how we balance our priorities and where the nature of the dollars are coming from.

Michelle Madoff:

Mr. Chairman and Members of Council, that's a gross distortion that my colleague just stated. We're talking about apples and oranges. There is no reason why all the projects that he supports and we all support can't be funded but not, certainly, at the cost of what is happening at the Fulton which is no longer going to be owned by the Fulton but owned by the association that gives us the culture in this City, that provides jobs and brings people to our City, and generates money for the General Fund.

People listening to that kind of rhetoric

will believe, indeed, that we're cheating some other community but the living room of the community, the Downtown doesn't survive, we will not have people in this community. We'll not have new businesses coming in here and we will not generate the jobs.

I think that's misleading and I would very much like to ask my colleagues to stay with their vote and support this. And if they don't generate money, number one, they always operate, all these entities operate at losses. And the money, incidentally, the statement was made that they have easier access to raising money in the private sector from the foundation. We are just giving a very small portion of matching funds.

Mr. Darkins:

Mr. Chairman, I think the cause and the purpose is well taken, but I also am concerned, I spoke about it the other day and I'm going to still stand with that, that some of this money that is to be used going to the Fulton Theater should go into the communities. I can understand Downtown Pittsburgh being the major and the main spot of the City of Pittsburgh, but there are other areas in the City of Pittsburgh that need this type of financing and money.

Mr. Ferlo:

Mr. Chairman, I don't mind the comments from my colleague, Michelle, when she paraphrases my comments and imply that I initiated gross distortions. I don't know what I said that was a gross distortion. I stated very clearly some facts; it's not rhetoric.

The fact is, historically, and since Michelle has been here historically she should know, historically the City government has benefitted from allocations of state government Department of Community Affairs funds.

Historically, fact, those funds have been used for the parks system and other projects within low and moderate income communities throughout the City of Pittsburgh. That's a fact.

Fact. The Fulton Theater will generate income just as much as the Opera and the Pittsburgh Symphony, an organization that is endowed with \$80 million. That's a fact, Michelle, also. The point being that this organization, the Cultural Trust, has the wherewithal and the resources to raise funds. The fact is that these funds should be used for low and moderate income community projects and should be continued to be used to beef up a much needed infrastructure with the parks system. Period. None of that is a gross distortion.

Michelle Madoff:

Mr. Chairman, in the future it might be advisable when we have this kind of legislation to send a copy of it to the affected entities so that they can speak for themselves. They don't need me as their spokesperson.

I stand by my statement earlier that indeed they do raise their money in the private sector from the foundations and to imply that they do not is not fair. We are only supporting it in very small matching funds, a very small portion, and I still maintain that in order to have money in the communities we need to have people. We've lost half our population in this community and if we don't have people coming here because it is vital and because we have great culture, we don't stand much chance of turning the situation around and therefore having the monies in the community.

Mr. Regan:

I don't think a city is worth its salt if it doesn't have culture. I think we need the culture as much as we need the Pittsburgh Pirates, the

Steelers, as much as we need money poured into the neighborhoods because the poor kids of the neighborhoods, if we have these centers that they can come to if they have talent, and I think it helps the whole City.

I agree not often with Michelle, but I do agree that this City needs some culture and I agree with her on this. I love Councilman Darkins but this is the only time I'm going to disagree with him.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Michelle Madoff

Mr. Millions
Mr. Regan
Mr. Wagner
(Pres't)

AYES 6

NOES 3

VOTING NO:

Mr. Darkins
Mr. Ferlo

Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I'd like to bring to Council's attention a couple of items. I hope that everybody on Council has read "The Enforcement Vending Laws City Urge", an article in the Pittsburgh Press by Jon Schmitz where "State Health Secretary, N. Mark Richards, has urged Pittsburgh officials to vigorously enforce new restrictions on cigarette vending machines."

I don't want to read the whole article but I want to read two paragraphs.

"Cigarettes kill and kids learn to use cigarettes early before they develop good judgment. We in government have every responsibility to make it as difficult as possible for kids to get cigarettes in the first place.

Since kids are risk takers, because of their age, you have to more than educate. You have to make it difficult as well. I think this priority needs to be included in the top ones."

In other words, the Health Director of the State of Pennsylvania has supported our legislation and I want those who thought it wasn't important and enforcement was a joke to understand that.

Two other items. There was an article in the Press again about a contract in the Parking Authority and the claim was, the contractor is claiming that the contract specifications for equipment to be installed for the Authority Schenley Plaza in Oakland were written in a way that favored his competitor.

I'm delighted that nobody swept it under the rug and, indeed, the Authority Executive Director, Reginald Young, said the complaints were valid and the specifications would be amended. I think that's a very responsible way to handle this.

But that brought to mind, where is our

Ethics Bill, Mr. Ricciardi? Where is our Ethics Bill, Mr. Cohen? Where is our Ethics Bill, Administration, Mayor Masloff? We're already into the ninth month of this year and I've been waiting three years. Can we do something about expediting it? And would we see that it applies to the authorities as well?

Mr. Cohen:

I would like to respond. I think you know where the Ethics Bill is, Michelle, because we've talked about it several times.

Michelle Madoff:

I know, but I want to speed you up.

Mr. Cohen:

I've kept you informed all along the way, I think.

If you want to know the answer, there is a Conference Committee that has been meeting regularly with representatives from the Mayor's Office, Joe Mistick, the City Solicitor, Councilman Ricciardi who is head of the Ethics Subcommittee, Bob Cindrich with is the head of the Ethics Commission appointed by the Mayor, and myself, and we are close to having a bill that we can come out with and be able to present to Council.

My bill is coming up before Council on Wednesday. I'm going to move to hold that probably for two weeks and hope that two weeks from this Wednesday we will be able to have a bill on the table that is supported by the Administration and hopefully will be supported by Council. So, I think we've very close.

Michelle Madoff:

Thank you for sharing that with Council

and with the public.

The Chair:

Might I add, whatever ethics legislation passes will not pertain to authorities.

Michelle Madoff:

I would like to, in some manner, have the Administration try to get the authorities to adopt our, if it's acceptable and we vote for it, Ethics Bill because I think it's needed everywhere. I think no one would disagree with that.

On an entirely different matter but one very close to my heart, particularly with what has happened to me in the last few months. Did everybody read the Post Gazette article, "Unhealthy For Chrysler"? If anybody missed it, I think it's really an eye opener. Please let me quote:

"The cost of U.S. medical care is driving Chrysler Corporation to transfer more production to Canada, according to the Toronto Star.

The newspaper quotes Robert Perkins, Chrysler's Vice President for Washington Affairs as saying that the health care benefits account for \$700 of the cost of making a car in the United States while the equivalent cost is just \$233 in Canada, \$246 in Japan, \$337 in West Germany, and \$375 in France. We're more than double.

Chrysler, already making about 20 percent of its vehicles in Canada, planned a major expansion of its currently under-used factory in Ontario.

A previous report by U.S. by-partisan commission on comprehensive health care nicknamed the Pepper Commission and its former Chairman, the Commission urges universal ac-

cess to affordable high-quality health care for all Americans, noting that 30 million Americans lack even minimal health care protection and another 20 million more are inadequately protected. It also stresses long-term care."

Now I realize that this probably has to be federal and this probably has to be state enacted, but I think that it would perhaps be something we ought to initiate from the grassroots level because nothing happens at the top if it doesn't start at the grassroots. For example, we might want to tell our legislators that if they don't start working in Washington to get us some form of socialized medicine, I hate to use the term but that is what is used, provide everybody with health care, then we're not going to vote for them.

I think it might be a good idea to hold a public hearing and get the input of people who are disenfranchised, who don't have the basics, who don't have medical care. And I reiterate, my recent episode which started off as a minor thing and ended up as a major issue, if I did not have insurance, ran over \$50,000. That would bankrupt most families in this country.

I think we have an obligation as City leaders, starting at the grassroots level, to try to do something. So, I would like to ask the President of this Council whether he would convene a public hearing, have input from unions, the labor, because that's where the jobs are going to be lost if they start moving out because we don't have that kind of provial health care, and have the public who has been affected come and tell us their stories and perhaps we could send the transcript to the appropriate people. I would like that to be considered by the President of Council.

The Chair:

We just had a resolution sponsored by Mr. Ferlo that pertained to that issue, and there

has been some public discussion. As a matter of fact, the labor unions have been very involved in that issue.

If you want a public hearing, I would suggest that you have the public hearing and you coordinate the public hearing.

Michelle Madoff:

I would be delighted but I think it's so important that I thought the President of our Council should chair it.

The Chair:

Well, I certainly would participate in it.

Michelle Madoff:

May I then respectfully request that we hold a public hearing at an appropriate time. You might even want to do it the first of the year. You do it when you think it's the appropriate time because we have a lot of budget things and things going on.

Mr. Milllones seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Very briefly, Mr. Chairman, three brief things. First of all, I was listening to KDKA Radio this morning, the John Cigna Show, and he was interviewing a gentleman from Harrisburg, I think his name was Sandy Staravin. I was alarmed when I actually heard what was going on in Harrisburg regarding the possibility of a pay raise for State Legislators. I thought we had resolved that debate a year ago and I know it's sort of breaking protocol for elected officials to speak ill of other elected officials so I won't point on any specific Legislator but as a class of

elected officials, if the proposal is actually going to go through, I would be very concerned and I would encourage our friends, the Legislators, to rethink their position. Apparently they're talking about raising their salary from \$47,000 to \$60,000 after this election, the lame duck session, before the middle of November.

I was also surprised to learn, which as long as I've been involved in politics I didn't even know this, that the average Legislator makes close to \$100,000 a year. That apparently with the \$88 per day per diem amount of money on top of the \$47,000. There are many Legislators that pay themselves even for holidays under the auspices that they're doing work in the community. I didn't know that; I don't think maybe even Members of Council or the general public is aware of that.

In addition, I think we're also aware that they receive \$7,000, \$8,000, \$9,000 a year for office expenses and the automobile insurance coverage and gasoline is paid for by the State.

So, all told, we're talking about a significant amount of money. In fact, if this proposal goes through, we'd have the highest paid Legislature in the country.

We're talking about a group of elected officials who, the meetings are not televised, they're not under the gun, they're not as visible, certainly, as elected Councilmembers. I'm not proposing that Councilmembers be paid that but what I am proposing is that I think given the protest in the City many years ago about pay raises, we led to an important reform and that was a valid question on the Home Rule Charter which enables elected officials here in the City to get a pay raise that is equal or commensurate with cost of living increases that the rest of the City workforce experiences from time to time. And I think that's fair and reasonable.

I would ask that the State Legislature, if they're listening to any of this discussion, that they would seriously give consideration to that type of a referendum, that they be afforded some type of yearly or every two year increases based on the cost of living afforded to other State employees.

But the pay grab that is being proposed is really going to give all elected officials a bad name and it's certainly not deserved and it's ill-advised given the financial affairs of the State and certainly what is happening in our nation today.

On another issue. I noticed out front that it looks as though there is some type of construction activity on the steps. I would like clarification from the Council President regarding the proposed statue and whether or not that is actually happening. I was led to believe that Council was to vote on that. I'm mainly concerned about what is going to happen with the Christmas Tree, if it's being discarded forever or is that something that is going to happen each year somewhere else? I'd like a clarification, Mr. Chairman, on that if you could check with the Administration.

The Chair:

I don't think there's a need to check. It's obvious that there is a statue of our former Mayor, Mayor Caliguiri, that has been completed and is now in the process of being placed on the front steps of the City County Building. There will be a dedication ceremony not yet publicly announced but sometime prior to the end of October.

Mr. Ferlo:

I was led to believe that that required Council approval from the Art Commission. Is that not the case?

The Chair:

To my knowledge, no.

Mr. Ferlo:

Okay.

Thirdly, Mr. Chairman, regarding the Penguin deal, I only know what I've read in the newspapers. We're talking about a significant amount of money. I would like Council to begin to think about this issue. I would assume in the next few weeks legislation will be forthcoming to this Council. I would ask that Council at least think about the issue of hiring, for a few thousand dollars, a financial advisor/consultant to give us some advice on the deal.

One of the main concerns I have about the deal is the development site, the Melody Tent site, which the DeBartolo family has had for at least five years. There's been no movement; it's prime property. I don't think any prime property in and around the Downtown area should remain fallow.

We've seen recent articles about the possibility of a world trade center. There might be other potential ideas for development on that site. That site should not be beholden to the DeBartolo family who has already indicated that they're not interested in developing it; they want it for parking.

So, I think there's a higher and better use for that property and I hope that we all have an open mind and I hope that we have full public disclosure regarding some of the financial interests regarding this proposed deal.

Mr. Milliones:

I understand that the URA has that on

their agenda this month, the Melody Tent site.

Mr. Ferlo:

The property, as we know, and the disposition, is in the hands of the URA.

Michelle Madoff:

Mr. President, I made a comment earlier and I was not just saying it; I meant it. When we have legislation that affects the private sector significantly, such as the Fulton, I think it would be advisable that a copy go out to them and I'd like to make that in the form of a motion. As I said, we don't need to be defending the private sector. May I make that as a motion?

Mr. Ferlo seconded the motion.

The Chair:

Clarification of that motion is what again?

Michelle Madoff:

That when we have legislation transferring money to the Fulton or to the Benedum or whatever, that they would get a copy of the legislation. And might even ask if they wish to attend when we vote on it.

Mr. Perry:

Is this after it's passed?

Michelle Madoff:

Before, so they can come and comment on it.

Mr. Milllones:

Clarification. How is the private sector

going to comment on such proposed legislation?

Michelle Madoff:

Like they do all the time. Everybody calls us, tells us what is happening, what it's for. They correct false impressions about the fact that they're getting all the money from Council and the City and not from other sectors and the truth comes out. I think the truth is what we're seeking.

Mr. Ferlo:

Mr. Chairman, on the practical side. I don't have any problem with the motion but it's not practical. It's not practical to require the Clerk's Office to think in advance who some legislation affects. All of our bills are publicly notified and are announced publicly. We have televised meetings. Certainly anybody who is that concerned and that hard up for the money should be walking this whole process through the City government. If anybody should know that we're about to vote on money, it should be the Cultural Trust people.

Michelle Madoff:

I think we're making a mountain out of a molehill.

The Chair:

On a procedure, you would have to come with a formal written resolution.

Michelle Madoff:

Fine. I have no problem with that, Mr. President. All I'm saying is that we have 10 or 15 bills a year that go through this Council where we give money during the year, it doesn't come through at budget time and the routine, where I think that they should know and they should be

told.

It would be advisable for you to send a note to Councilmembers telling them what portion is coming from Council, a breakdown of the budget, and give us some general information. That's all.

The Chair:

Okay.

I'd like to make a motion that the Pirates win tonight.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Cohen**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Tuesday, October 16, 1990

No. 40

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, October 16, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

You know, we're very honored to have a lot of distinguished people here with us this morning and I think it's only right that we show this movie of Pittsburgh. I think we're all so very proud of Pittsburgh and there's a lot of people out there that have moved to Pittsburgh and like our City very much. Before I read the resolution, I would like to show this film.

AT THIS TIME, MR. REGAN SHOWED A FILM ABOUT PITTSBURGH.

Mr. Regan:

After Cincinnati I think we needed that. Any Cincinnati fans, the door is open there. We're here to root for good old Pittsburgh. I think our team did a terrific job and I'd like to bring the people up that produced this movie for the Convention and Visitors' Bureau. Would you come up here, Mr. Ray Werner and Mr. Chepelsky? It usually takes about an hour and a half to wake up in these Council meetings.

Mr. Regan presents

No. 1553 WHEREAS, Writer and Composer Ray Werner and Art Director and Composer John Chepelsky were asked to create a film that brings alive the contagious, down to

earth and contemporary personality of Pittsburgh in a genuine way, and so created an original song and video and also contributed the various talents of their company, pro-bono; and

WHEREAS, the Greater Pittsburgh Convention and Visitors Bureau, especially Joe McGrath, Bob Imperata and Ellen Wein, with the help of Duquesne Light Company, especially Mike Drajovic and Scott Simmons and along with other friends, saw the need to show the world that this is an extraordinary City; and

WHEREAS, Sue Hartford, Arranger and Executive Producer of the Music and Ed Fraticelli, Sound Mixer and Video Editor of Production Masters, Inc. used their creative and technical skills to bring this about; and

WHEREAS, Producer Jon Kasunic, Film Editor Anita Harnish, Director Danny Doyle, and Cameraman Neil Hodges, used their considerable talents and those of Ugly Dog Productions to give this video its distinct visual personality; and

WHEREAS, other countless friends of Pittsburgh donated their talents, business establishments, beautiful smiles, wonderful faces, precious time and a very special part of themselves to make this video come alive.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the efforts of all these people to help tell the real story of Pittsburgh throughout America and the World, and is resolved to help get this message out to as many people as possible that Pittsburgh is truly the one City in America, more than any other, that you hate to leave; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims this as the "Hate to Leave Blues Day" in the City of

Pittsburgh. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Werner:

It's not very often you have an opportunity to write something and produce something for one of the greatest cities in the world and certainly the city for the 90s here in America. And all of us here represent a lot of other people in Pittsburgh who helped put this together.

Thank you very much for honoring us today. Thank you very much.

The Chair:

You did a great job. Thank you all for coming.

Mr. Darkins presents

No. 1554 WHEREAS, the Afro-American Heritage Parade Association was founded in 1987 and incorporated in 1988; and

WHEREAS, the Afro-American Heritage Parade Association, Inc. ranks high as an organization dedicated to giving credence to the belief that Afro-Americans contribute significantly to the development of this great country and to make aware to the City the bountiful intellectual Afro-American resources included in the City of Pittsburgh's population; and

WHEREAS, the Parade showcases talents and culture styles that depict Afro-American heritage; and

WHEREAS, the Afro-American Heritage Parade Association, Inc., throughout the year supports youth advancement, scholarships to deserving individuals, and provides ongoing Afro-American education, highlighting ancestral accomplishments and strides made today and for the future; and

WHEREAS, the Fourth Annual Afro-American Heritage Day Parade is dedicated to Most Worshipful Prince Hall Grand Lodge for their 175 years of unselfish service to the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh is mindful of the Afro-American Heritage Parade Association, Inc. for their value to the City of Pittsburgh and extends well wishes for ongoing success; and

BE IT FURTHER RESOLVED, that October 20, 1990 be declared Afro-American Day in the City of Pittsburgh and that Council further salutes "Grand Marshall" George Calloway, Past Worshipful Grand Master, as he proudly leads the parade through Downtown Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Today's resolution is a joint effort because we are so proud of this particular day that is going to transpire. This is not just Councilman Duane A. Darkins' resolution but this is also Dr. Jake Milliones that is joining with me today.

I would like to have our President of the Pittsburgh branch of the NAACP come to re-

ceive this along with Mrs. Gladys Harper of the Parade Committee.

Mr. Adams:

Thank you very much, and to the august body and to its erstwhile President, we are very grateful to receive this proclamation. It further states Council's resolve to be a part of what is going on in the City of Pittsburgh.

As the Bishop has told you, this is a great day of pride for the Black community. It is the one time that we can, as other ethnics do, showcase our culture and our heritage. We are going to continue in this effort and we hope we have created an institution whose purpose and goals will never be obliterated. And we look forward to the day when all people have an understanding that we didn't begin and end in slavery, that we do indeed have a proud heritage, a great culture, and something that is so positive that if we don't tell the story, nobody will and maybe nobody should.

Our goals and our plans and our ambitions for this year and the coming year is to institute in the Pittsburgh public schools a method that not only can Black youngsters but also White youngsters know and learn about the culture and heritage of Black people. We hope with the cooperation of the School Board to buy books that we will put in the primary, secondary and the high school grades and hopefully they will become part of the curriculum for, as all of you know, Blacks are not included in the history books. And I think that it does a disservice to the total community when people live in ignorance of their neighbors.

So, we hope that if need be, we can get the support of Council to see that this is integrated into the public school system and we very humbly thank all of you for appearing today.

And for a change we have something to give Council. If Raymond Rucker will come forward and pass out the hats. We hope you'll wear them with pride and we hope you'll join us on this Saturday morning when we will be strutting.

Ms. Harper:

Mr. Wagner, Councilman Darkins, Councilman Milliones and your colleagues, it's a great morning for me. The last time I was here, the Council more or less took me in celebration of space. They have brought me back to my feet.

On October 20th we'd like for you to join us. It would mean so much for our public officials to be present so that you can help us to lead the City of Pittsburgh residents, as well as the outlying areas, on this mission for equality and justice for all. Thank you.

Mr. Darkins presents

No. 1555 WHEREAS, the Pittsburghers, a tax deductible, civic organization, will gather in Washington, D.C. on Saturday, October 13, 1990 to celebrate their 27th annual scholarship and community charities ball; and

WHEREAS, the Pittsburghers is comprised of former Pittsburgh area residents who currently reside in the Washington Metropolitan area and Pittsburgh residents; and

WHEREAS, the Annual Scholarship and Community Charity Ball, a black tie affair, is the chief vehicle used by Pittsburghers to raise funds for scholarship awards and community charity grants, and to date contributions to students and community charities have totaled \$140,000.00; and

WHEREAS, the theme for the 1990 Annual Ball is "Celebrating Excellence in Commu-

nications: A Pittsburgh Legacy" in honor of the achievements of native Pittsburghers who have excelled in the field of communications. The honorees include: James Adams, Bobby Bennett, Andrea Bray, Phyllis Garland, Mal Goode, Connie Portis, John Senstacke, Bev Smith and Tamara Tunie Bouquett.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims October 13, 1990 as Pittsburghers Day and encourages the spirit of comradeship between Pittsburghers living in Pittsburgh and Washington, D.C.; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh and its residents recognize Dr. Floyd Keene, President of the Pittsburghers, for his leadership in taking the Pittsburghers to great heights and applaud the contributions made by the honorees in the field of communications.

Mr. Darkins moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'd like Marcia Dugan from the Highland Park Community Club's Creative Playground Committee to come forward, please.

Mr. Ferlo presents

No. 1556 WHEREAS, the Highland Park Community Club has initiated a Creative Playground Committee to spearhead the creation of a unique creative playground in Highland Park; and

WHEREAS, in cooperation with the City of Pittsburgh Department of Parks and

Recreation, the Committee plans to harness the energy of hundreds of Pittsburgh volunteers, children and adults who will actually design and build a one of a kind playground under the guidance of nationally renowned playground architect, Robert S. Leathers; and

WHEREAS, Architect Robert Leathers has designed and supervised the building of over 500 creative play areas throughout the country by employing a unique collaborative process between architect professionals, the community and its children; and

WHEREAS, the first step of the process begins on Design Day, the day an architect joins the community to identify the final site, and to meet with children to solicit their ideas for the playground - every idea from a three year old's concept of a sandbox to an eleven year old's idea for a space station - is solicited for the final design of the play area; and

WHEREAS, one of Leathers' architects will come to Pittsburgh on Monday, October 22, 1990 at 7:30 p.m. at Peabody High School so that all City residents can find out how they can be involved in the creation of the playground.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the efforts of the Creative Playground Committee; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 22, 1990 to be Robert Leathers Design Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I'm very honored to be active with the Club and with this Committee. City Council last year, with the support of the Administration, appropriated \$10,000 in Mr. Ricciardi's committee on Parks and that contribution went to the Highland Park Community Club to help kick off a fairly ambitious fundraising effort, an effort to raise close to \$100,000 to complete this task.

I'm helping to serve on the Volunteer Recruitment Committee and most Councilmembers, in fact, all of the Councilmembers here have a strong degree of volunteerism and have worked on all different kinds of volunteer initiatives and I hope to be calling on you not only for the Design Day in the evening, possibly attending the neighborhood meeting, but also when we build this next April.

And certainly, Mr. Wagner, you have a great track record with some of the City workers that have gone to various places and we hope to get you out there for this activity.

At this time I'd like to introduce Marcia Dugan from the Highland Park Community Club who is one of the co-chairs of the Creative Playground Committee.

Ms. Dugan:

Playgrounds are wonderful places for parents and for kids and what is going to make this playground even more wonderful is that hundreds of Pittsburghers are not just going to sit and watch it be built but they're going to build it. They're going to saw wood and pound nails and the kids are going to sand wood and it's just going to be a really fun project for all of us to join together to build.

I want to thank City Council for their support and their enthusiasm and for this procla-

mation.

We hope to see you all on October 22nd at Peabody High School at 7:30. And if you want to give your ideas for the playground, you're welcome to do that. Thank you.

Michelle Madoff:

Would Bob Moser of the National Council of Senior Citizens and Lynn Williams of the United Steelworkers please join me? Art Lubic, architect for the buildings; Becky Foster of URA; and Ed Palimismo of HUD. And if anybody else is with you, please join us. Harry Gunther had to leave.

This is really a special pleasure for me because I have known predecessors. I was very friendly with I.W. Able, Mr. McBride, and I think I learned to be so verbose for Mr. Able and I'll tell a funny story later. People think steelworkers only work on steel and that's not really true.

Michelle Madoff presents

No. 1557 WHEREAS, there is an established need for affordable housing for senior citizens and handicapped people with limited incomes in the Pittsburgh area; and

WHEREAS, the National Council of Senior Citizens has collaborated with the USW's Oldtimers Foundation, the Federal Department of Housing and Urban Development and the City's Urban Redevelopment Authority to address the issue by building Steelworkers Tower, an 80 unit apartment complex at 2639 Perrysville Avenue; and

WHEREAS, this successful collaboration has led to the plans of constructing 50 more apartments called I.W. Able Towers at 1523 Brighton Road to further meet the needs of our

area's low income seniors and handicapped; and

WHEREAS, this collaboration is presently serving single senior and handicapped citizens with an income of about \$6,000 a year; and

WHEREAS, to live in the building, a person does not have to be a USW Member, but must be handicapped or over age 62 and have an income of less than \$11,800 yearly for a single person or \$13,500 for a couple.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the successful efforts of the National Council of Senior Citizens, the United Steel Workers, the Department of Housing and Urban Development and the Urban Redevelopment Authority in attending to the housing needs of our low income senior citizens and handicapped residents.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Williams:

President Wagner and Councilwoman Madoff and Members of Council, I'd like to thank you very much for this proclamation and this indication of your support. We've known, of course, that you were supportive of such projects but we appreciate this tangible recognition.

I'd like to say that the United Steelworkers of America owe a great deal to the City of Pittsburgh, this community, to the citizens more specifically, and even more specifically, of course, to the Oldtimers who built our union, people of great courage and great determination

who made many sacrifices in building the United Steelworkers of America.

We believe, of course, that the Union contributed in many ways to the life of this community and the quality of life here, but we're particularly pleased that in this collaboration with the National Council of Senior Citizens and with HUD that we're able to express our appreciation in this very tangible way to a group of senior citizens in the City who will make use of the housing facilities that now exist.

We are, of course, delighted that the new building will commemorate the honor of I.W. Able who was such a tower of strength to our union and to this community and indeed across the country in his years of leadership in the union. And we're just delighted that we'll be able in this way to provide some useful housing for people here in Pittsburgh and in that way to contribute to the quality of this great City of which we're all so proud. Thank you very much.

Mr. Milliones presents

No. 1558 WHEREAS, on Monday, October 15, 1990 the Hill District Federal Credit Union will be celebrating 20 years of providing the Hill District community with a convenient way to accumulate savings and acquire low-cost credit; and

WHEREAS, the Hill District Federal Credit Union as a financial institution has been successful in assisting a portion of the community to raise their standards of living; and

WHEREAS, the Hill District Federal Credit Union serves as a source of reference from which those observing it can draw inferences for hope, ambition and belief in their community's ability to achieve some degree to economic stability; and

WHEREAS, the Hill District Federal Credit Union as a neighborhood institution is a cooperative with a community agenda, community building and community organizing assistance; and

WHEREAS, as a learning institution the membership learns interest rates, credit data, saving habits, consumer habits, consumer education and forms of financial management; and

WHEREAS, the Hill District Federal Credit Union during its 20 years of service has made 5,302 loans totaling \$5,413,702.00.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and congratulate the Hill District Federal Credit Union for 20 years of commitment to combating poverty and to helping the people of the Hill District community help themselves.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

I'd like to have our friends from Allegheny General Hospital to please come up and also from the Butler Memorial Hospital.

I'm very, very honored to be able to read this resolution since all of my kids were born at Allegheny General Hospital. I think Allegheny General Hospital is one of the finest hospitals in the whole world.

Mr. Regan presents

No. 1559 WHEREAS, throughout our lives, many heroes go unnoticed - but not today as

we are honored to have some very special people with us - people that we hope we never need, but people who are there for us if indeed we do call on them; and

WHEREAS, Dispatcher Bob Young, Paramedics Chris Jones, Terry Lonchea and Denny Crawford, Life Flight Dispatcher James Jochem, Nurses Susan Randall and Timothy Rausch and Life Flight Pilot Gene Nugui were not familiar with each other but worked very hard together to save the life of one small child, and this cooperation is common in their field of work, which is not one of glamour but of necessity; and

WHEREAS, Pittsburgh has the finest hospital based Helicopter Transport Program instituted by Allegheny General Hospital in 1978; and

WHEREAS, in operation 24 hours a day, 7 days a week, physicians, nurses, ambulance personnel, police and firemen activate Life Flight by a phone call; and

WHEREAS, Life Flight personnel can travel a 130 mile radius of Pittsburgh and get immediate transportation to any one of our fine hospitals in order to save that one precious life; and

WHEREAS, Life Flight has flown more than 14,000 missions totaling 2 million miles; and

WHEREAS, Life Flight personnel were brought together from various places but share the same good will towards life, for the purpose of helping others.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims Tuesday, October 16, 1990 as Life Flight Day in the City of Pittsburgh in

honor of the efforts of Dispatcher Bob Young, Paramedics Chris Jones, Terry Lonchea and Denny Crawford, Life Flight Dispatcher James Jochem, Nurses Susan Randall and Timothy Rausch and Life Flight Pilot Gene Nugui.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Dr. Ramonosky, you know how we feel about you. We know what a tremendous job that you and your people have done and I can only tell you that it is an honor to have you down here. Thank you very much.

Dr. Ramonosky:

Councilman Regan, President Wagner, on behalf of the assembled group, the unbelievably courageous and innovative Butler paramedics, the Life Flight crew who are not only dedicated but on line 24 hours and day, and on behalf of all of the physicians and nurses at Allegheny who have been responsible for the salvage of Stevie Selfridge, we would like to thank the City Council of Pittsburgh and the people of Pittsburgh for providing such a warm, caring environment by which we can carry out things that we do because we've been trained to do them. Without you, we would have no purpose. We thank you very much for this recognition.

The Chair:

Thank you all for coming and for doing a great job.

We have one final resolution presented by all Members of Council.

Members of Council present

No.1560 WHEREAS, a federal court order has mandated that Allegheny County construct a new jail facility to relieve overcrowding; and

WHEREAS, the new County Jail facility is expected to cost approximately \$90 million and will hold 1,540 inmates; and

WHEREAS, Allegheny County has advocated legislation to the General Assembly requesting financial assistance to help pay a portion of the costs for construction, expansion and renovation of jails for counties throughout the State of Pennsylvania; and

WHEREAS, the General Assembly will place a referendum question on the ballot to authorize that \$200 million dollars be made available to assist in the cost of constructing and renovating new jails, with 50 percent to come from the State Criminal Justice Fund and 50 percent to be borne by the counties themselves; and

WHEREAS, Allegheny County has identified a site near the current Public Safety Building in Downtown Pittsburgh to construct the new jail and Public Safety Building to secure a cooperative arrangement which will integrate the City and County criminal justice services.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the residents of the City of Pittsburgh to Vote YES on the upcoming referendum to ensure that the State of Pennsylvania provides financial assistance to counties throughout the state so that the burden of financing additional jail cells is not placed solely on the already overburdened local taxpayers.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I would just like to add a footnote to that resolution. This is a very important resolution. The purpose for having it, obviously, is to get the word out through the media and also through cable TV that the public, through a referendum question, will have the opportunity to vote for this resolution to reduce the burden of financing of a county jail that would be placed on the county taxpayers if this referendum does not pass. Therefore, it's extremely important that everyone vote in the affirmative for this referendum in November. We hope that the word gets out through the media and through the public. Thank you.

Mr. Cohen presented

No. 1490 Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by redefining funding sources. The amount of \$57,125.00 from EC-122 (Major Court Renovation), \$100,000.00 from EC-115 (Ballfield Relighting) and \$75,000.00 from EC-487 (Dinan Field) are being reprogrammed to EC-133 Ammon Recreation Center. The scope of this project has been significantly expanded to meet the needs of the community.

Also,

No. 1491 Resolution further amending Resolution No. 1049, effective January 1, 1989, as amended, entitled, "Resolution adopting and

approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program," by redefining a funding source. The \$100,000.00 from EC 89-56 (Ballfield Relighting) is being reprogrammed to EC 89-86 Ammon Recreation Center. The scope of this project has been significantly expanded to meet the needs of the community. This amendment will provide funding in the Ammon line item which will enable us to award the contract.

Also,

No. 1492 Resolution Repealing Resolution No. 276, effective March 21, 1990, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for Ballfield Relighting at Various Locations, including but not limited to Herschel Field in Council District #2, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 90-115.

Also,

No. 1493 Resolution Repealing Resolution No. 156, effective March 22, 1989, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for Ballfield Relighting at Various Locations, including but not limited to Herschel Field, at a cost not to exceed \$100,000.00, chargeable to and payable from Code Account EC 89-56.

Also,

No. 1494 Resolution further amending Resolution No. 1013, effective October 29, 1985, as amended by Resolution No. 1036, effective December 22, 1987, entitled, "Providing for an Agreement or Agreements and/or a Contract or Contracts, for the design and construction of Kennard Pool and Bath

House; and providing for the payment of the cost thereof," by amending the title to delete the 'construction phase' and by decreasing the total project allocation by \$155,413.00 from \$175,000.00 to \$19,587.00, chargeable to and payable from Code Account CDEC 85-30, 4-13-62-1500-85-317-85-13.

Also,

No. 1495 Resolution further amending Resolution No. 343, effective April 21, 1989, as amended by Resolution No. 614, effective August 3, 1989, as amended by Resolution No. 392, effective April 17, 1990, as amended by Resolution No. 913, effective August 30, 1990, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of Various Recreation Centers, including but not limited to Ammon and Magee; and providing for the payment of the costs thereof," by increasing the total project allocation by \$746,383.11 from \$1,565,000.00 to \$2,311,383.11.

Also,

No. 1496 Resolution amending Resolution No. 718, effective August 19, 1986, entitled, "Providing for an Contract or Contracts, or use of existing Contracts, for the Fall 1986-87 Street Tree Planting Program in Various Community Neighborhoods and Business Districts; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$1,309.00 from \$150,000.00 to \$148,691.00.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Cohen moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the

meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1497 Resolution amending Resolution No. 320, effective April 3, 1990, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Design Services in connection with the reconstruction and Stabilization of Various Retaining Walls, including but not limited to Andover Terrace, Dakota Street, Pusey Street, Ruvric Street and Sprain Street; and providing for the payments of the costs thereof," by increasing the total project allocation by \$25,000.00 from \$100,000.00 to \$125,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1498 An Ordinance amending and supplementing the Pittsburgh Code, Chapter 719, Vendors and Peddlers, by adding Definitions, Providing Regulations for Signs, Increasing Fees, and adding a new subsection 719.07, Employers Master License.

---(SPONSORED BY MR. COYNE)

Which was read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1499 Resolution transferring the amount of \$100,000.00 from Code Account 1063, Miscellaneous Services, Index Code

106302, Department of Finance to Code Account 1501, Premium Pay, Index Code 150102, Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 1500 Resolution adopting Official Sewage Facilities Plan for the Iroquois Project.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1501 Resolution providing for the issuance of a warrant in favor of L&M Industries in the amount of \$11,851.10 for purchase of recycled paper to be used in developing the City's education program, payable from Code Account 1173, Recycling Services, Department of Environmental Services.

Also,

No. 1502 Resolution providing for the issuance of a warrant in favor of the Allegheny Business Machines, Inc., in the amount of \$1,907.70 in payment for a Canon Facsimile 230 Machine and paper, chargeable to and payable from Code Account 1612-2,

Equipment.

Which were read and referred to the Committee on Finance.

Also,

No. 1503 Resolution granting unto Pittsburgh Cultural Trust Resources 101 Sixth Avenue, their successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, an electrical vault on a portion of the sidewalk of Fort Duquesne Boulevard, in the 2nd Ward, 6th District of the City of Pittsburgh. This request is made by the Pittsburgh Cultural Trust resources that the additional electrical vault will be used to update the lighting in the Fulton Theater.

Also,

No. 1504 Resolution granting unto Doctors Cichon and Sestric, 4301 Butler Street, their successors and assigns, the privilege and license to construct, maintain, and use, at their own cost and expense, a handicap ramp on a portion of the sidewalk of 43rd Street in the 9th Ward, 7th District of the City of Pittsburgh. Doctors Cichon and Sestric have requested this encroachment so that their elderly patients can gain entry to their building.

Also,

No. 1505 Resolution granting unto Ms. Judith Albrecht, 210 E. Woodford Avenue, her successors and assigns, the privilege and license to construct, maintain, and use, at her own cost and expense, a fence on a portion of the right-of-way of a 5' way in the 29th Ward, 4th District of the City of Pittsburgh. This request is made by Ms. Judith Albrecht that due to her planned construction of a porch at the rear of her house she would like to move her fence to the unopened 5' foot right-of-way.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1506 Resolution Repealing Resolution No. 732, effective September 3, 1988, entitled "Resolution providing for an Agreement or Agreements with a Consultant or Consultants to conduct a traffic study of the Calbride Triangle Area of the North Side, at a cost not to exceed \$4,200.00, chargeable to and payable from the 1981 CDBG Program 'Unspecified Local Option' (CC-81-01).

Also,

No. 1507 Resolution Repealing Resolution No. 588 effective July 29, 1988, entitled "Providing for an Agreement or Agreements with the Polished Apple Enterprise, Inc., a non-profit corporation, to provide community social services including home chore services and a shopping-transportation escort service to the aged, handicapped, and disabled, at a cost not to exceed \$1,900.00, chargeable to and payable from the 1988 CDBG Program City Council - Polished Apple (CC-88-34)."

Also,

No. 1508 Resolution amending Resolution No. 215, effective March 6, 1987, entitled "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$240,000.00", so as to reduce the amount encumbered from \$240,000.00 to \$229,925.00, chargeable to and payable from the 1987 CDBG

Program - City Council - Pittsburgh Community Services, Inc., (CC-87-08).

Also,

No. 1509 Resolution amending Resolution No. 783, effective September 17, 1986, entitled "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons," so as to reduce the amount encumbered from \$243,000.00 to \$236,282.00, chargeable to and payable from the 1986 CDBG Program, "Unspecified Local Option", (CC-86-01).

Also,

No. 1510 Resolution amending Resolution No. 800, effective August 19, 1985 entitled "Resolution providing for an Agreement or Agreements with the Hill House Community Services, Inc., located at 1835 Centre Avenue, for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons," so as to reduce the encumbered amount from \$245,000.00 to \$238,668.36, chargeable to and payable from the 1985 CDBG Program, "Unspecified Local Option", (CC-85-01).

Also,

No. 1511 Resolution amending Resolution No. 551, effective July 20, 1988, entitled "Providing for an Agreement or Agreements with Bidwell Training Center for administrative/operating support, so as to reduce the amount encumbered from \$10,000.00 to \$9,991.00, chargeable to and payable from the 1988 CDBG Program - City

Council - Bidwell Training Center (CC-88-03).

Also,

No. 1512 Resolution amending Resolution No. 566, effective July 20, 1988, entitled "Providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the 'Pittsburgh Literacy Initiative' a pilot project aimed at promoting health parent/child relationships in low/moderate income families, so as to reduce the amount encumbered from \$33,922.00 to \$33,751.87, chargeable to and payable from the 1988 CDBG Program, City Council (CC-88-20).

Also,

No. 1513 Resolution amending Resolution No. 154, effective March 12, 1984, entitled "Providing for an Agreement or Agreements with the Lawrenceville Citizens Council, Inc., located on 37th Street in Lawrenceville to provide for general rehabilitation work on the old Saint Augustine's School Building which would be used for various community activities", so as to reduce the encumbered amount from \$35,000.00 to \$18,692.10.

Also,

No. 1514 Resolution amending Resolution No. 707, effective August 29, 1988, entitled "Resolution providing for a Contract or Contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof," so as to reduce the amount encumbered from \$450,000.00 to \$412,904.00, chargeable to and payable from Code Account Community Development, PS-88-01 Demolition and/or Sealing of Condemned Buildings, including Site Restoration and

Boarding Party Walls.

Also,

No. 1515 Resolution amending Resolution No. 828, effective August 13, 1978 entitled "So as to provide funds in the amount of \$159,282.63 to the Department of Public Works to allow said Department to enter into a Contract or Contracts for the performance of tenant work required at the Phoenix-Hill Shopping Center for the relocation of the Carnegie Library, Wylie Avenue (Hill) Branch, to that facility and to provide additional funds to this project in an amount not to exceed \$16,000.00 from the 1977 CDBG Trust Funds, Unspecified Local Options" so as to reduce the encumbered amount from \$175,282.63 to \$172457.00.

Also,

No. 1516 Resolution amending Resolution No. 445, effective June 10, 1983 entitled "Resolution providing for an Agreement or Agreements with the Center for Independent Living, located at P.O. Box 11460, Guys Run Road, Pittsburgh, PA for the study of wheelchair accessibility in the Downtown, Oakland and residential areas at a cost not to exceed \$40,000.00," so as to reduce the amount encumbered from \$40,000.00 to \$36,555.39, chargeable to and payable from the 1983 CDBG Program "Unspecified Local Options".

Also,

No. 1517 Resolution amending Resolution No. 1046 of 1976, as previously amended by Resolution No. 551 of 1977, Resolution Nos. 595 and 596 of 1978, Resolution No. 591 of 1979, Resolution No. 1418 of 1981, Resolution No. 151 of 1982, Resolution No. 104 of 1986 and by Resolution No. 704 of 1987, and Resolution No. 142 of 1990 entitled, "Providing for the filing of an

application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 CDBG Program," by decreasing funds to City Council and reprogramming these funds to the Department of Engineering and Construction.

Also,

No. 1518 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635, and 1065 of 1980; by Resolution Nos. 316, 797, 1201 and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolutions Nos. 101 and 201 of 1986; by Resolution Nos. 711 and 825 of 1988; and by Resolution No. 139 of 1990 entitled "Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 CDBG Program," by decreasing funds allocated to City Council and reprogramming these funds to the Department of Engineering and Construction.

Also,

No. 1519 Resolution amending Section 11 of Resolution No. 1549 of 1978, as previously amended by Resolution Nos. 251, 317 and 649 of 1979; by Resolution Nos. 286 and 1192 of 1980, by Resolution No. 1203 of 1981; by Resolution Nos. 393 of 1013 of 1983; by Resolution No. 100 of 1986; by Resolution No. 677 of 1987; and by Resolution No. 140 of 1990 entitled "Providing for the filing of an application with the U.S. Department of Housing and Urban Development for a grant in connection with the 1979 CDBG Program," so as to reduce funding to City Council, "Unspecified Local Option," and reprogram these funds to the Department of Engineering

and Construction.

Also,

No. 1520 Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution Nos. 359 and 835 of 1981, and by Resolution Nos. 417 and 830 of 1982; and by Resolution Nos. 212 and 1012 of 1983; and by Resolution No. 151 of 1984; and by Resolution No. 115 of 1988; and Resolution No. 138 of 1990, entitled "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1981 CDBG Program," so as to decrease funds in City Council, "Unspecified Local Option," and City Planning and reprogram these funds to the Department of Engineering and Construction.

Also,

No. 1521 Resolution amending Section 10 of Resolution No. 167, effective March 7, 1983, as amended by Resolution Nos. 394 and 692 of 1983; and by Resolution No. 940 of 1984; and by Resolution No. 634 of 1985; and by Resolution Nos. 103, 177, 515 and 660 of 1986; and Resolution Nos. 286, 443, 502 and 705 of 1987, Resolution No. 549 of 1989, and Resolution No. 137 of 1990, entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1983 CDBG Program," so as to reprogram funds in the Department of Engineering and Construction and City Council.

Also,

No. 1522 Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984; as amended by Resolution No. 728,

effective August 21, 1984; and by Resolution No. 284, effective March 30, 1987; and by Resolution No. 548 of 1989 and Resolution No. 136 of 1990, entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1984 CDBG Program," so as to reprogram funds in the Department of Engineering and Construction and City Council.

Also,

No. 1523 Resolution amending Section 10 of Resolution No. 1150 of 1984 as amended by Resolution No. 635 of 1985 and by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989 and Resolution No. 135 of 1990, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1985 Community Development Block Grant Program" so as to reprogram funds in the Department of Engineering and Construction and City Council.

Also,

No. 1524 Resolution amending Section 10 of Resolution No. 234 of 1986, as amended by Resolution No. 1180, of 1986; by Resolution No. 43 of 1987, by Resolution No. 715 of 1989, and by Resolution Nos. 133 and 875 of 1990, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 CDBG Program," so as to reprogram funds in the Department of Engineering and Construction and City Council.

Also,

No. 1525 Resolution amending Section

10 of Resolution No. 1181 effective December 26, 1986, as amended by Resolution No. 198 effective March 13, 1987; Resolution No. 384 effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987; Resolution No. 317 of 1988; Resolution No. 328 of 1989 and Resolution No. 134 of 1990 entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 CDBG Program," so as to reprogram funds in the Department of Engineering and Construction and City Council.

Also,

No. 1526 Resolution amending Resolution No. 448 effective June 16, 1988 as amended by Resolution No. 627 effective August 2, 1989, and Resolution No. 132 of 1990, entitled "Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 CDBG Program," so as to reprogram funds in the Department of Engineering and Construction, the Department of Fire, and City Council.

Also,

No. 1527 Resolution providing for a Cooperation Agreement or Agreement with the Housing Authority of the City of Pittsburgh for the administration and implementation of the "Community and Social Services Programs in Public Housing Communities" and the "Rehabilitation and Modernization of Housing for Low and Moderate Income Persons" Program (HA-90-01) at a cost not to exceed \$1,560,000.00, chargeable to and payable from the 1990 CDBG program - Housing Authority (HA-90-01) "Rehabilitation and Modernization of Housing for Low and Moderate Income

Persons."

Also,

No. 1528 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to undertake streetscape improvements for the Penn-Liberty Cultural District at a cost not to exceed \$1,300,000.00, chargeable to and payable from the 1989 Project Fund, Code Account UR90-8, Penn-Liberty Cultural District Street Improvements.

Also,

No. 1529 Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to undertake streetscape improvements for the Fifth Avenue Square Area at a cost not to exceed \$600,000.00, chargeable to and payable from the 1989 Project Fund, Code Account UR90-11, Fifth Avenue Square Street Improvements.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1530 An Ordinance amending the Pittsburgh Code Title Two "Fiscal", Article VII "Business Related Taxes", Chapter 241, "Amusement Tax", by repealing Section 241.06 penalty and interest.

Also,

No. 1531 Resolution transferring the sum of \$100,000.00 from Code Account No. 1063 (106302) Miscellaneous Services, Department of Finance to Code Account No. 30 (003004) Refunds All Other Taxes (003004). The reason for the transfer is that when the City

reduced the wage tax many employers did not reduce the withholding tax from their employees paychecks in a timely manner, resulting in a larger than normal number of refunds.

Also,

No. 1532 Resolution authorizing the transfer of \$200,000.00 from the JTPA-1 Trust Fund, Index Code 260307, to the General Fund of the City of Pittsburgh's PSC-JTPA Indirect Reimbursement Cost Account, Index Code 015362, for reimbursement of indirect costs of the job Training Partnership Act Program for prior fiscal years.

Also,

No. 1533 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Incentive Grant by the Job Training Partnership Act Program at a cost not to exceed \$37,000.00, chargeable to and payable from the various JTPA Trust Funds.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1534 Resolution providing for the issuance of a warrant in favor of Action Supply Products Inc., 107 Montour West Industrial Park, P.O. Box 200, Imperial, PA 15126, in the amount of \$2,750.00 in payment for the emergency purchase of Absorbents/Booms by the Bureau of Emergency Medical Services as a result of the oil spill, chargeable to and payable from Code Account 1423, Bureau of Emergency Medical Services, Department of Public Safety.

Also,

No. 1535 Resolution authorizing the transfer of \$20,000.00 from Code Account 1464, Index Code 146407, Equipment, Bureau of Fire to Code Account 1463, Index Code 146308, Supplies and Materials; also the transfer of \$30,000.00 from Code Account 1464, Index Code 146407), Equipment, to Code Account 1462, Index Code (146209), Miscellaneous Services, Bureau of Fire, Department of Public Safety. These transfers are necessary to maintain operating expenses for the remainder of 1990.

Which were read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 1536 Resolution authorizing the issuance of a warrant in favor of E.H. Griffith Incorporated in the amount of \$3,523.80 in payment for lawn and garden tools, chargeable to and payable from Code Account SPPTF, Special Parks Program Trust Fund, Department of Parks and Recreation. The tools were needed to perform our daily operations and the lack of a formal contract necessitated the purchase from a vendor that could supply the items immediately.

Also,

No. 1537 Resolution authorizing the issuance of a warrant in favor of Howard Hanna Real Estate Services, in the amount of \$700.00, in payment for the real estate appraisal of 263 McKee Place used as a Senior Citizen Center, chargeable to and payable from Code Account SCPTF, Senior Citizens Program Trust Fund, Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 1538 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Schenley Park Rink Trust Fund, for the purpose of depositing funds and expenditure of funds for any and all related expenses.

Also,

No. 1539 Resolution authorizing the Director of the Department of Parks and Recreation to increase admission fees at the Schenley Park Ice Rink, effective immediately.

Also,

No. 1540 Resolution authorizing the Director of Parks and Recreation to enter into an Agreement or Agreements to provide design, acquisition, installation, removal and storage of all equipment and displays to be used in a winter lights display at the Pittsburgh Zoo in the amount not to exceed \$70,000.00, chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund in the Department of Parks and Recreation, Pittsburgh Zoo.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 1541 Resolution providing for the issuance of a warrant in favor of A.G. Trimble Company, 600 Clark Building, Pittsburgh, PA 15222, in the amount of \$1,272.94 for the purchase of diplomat sets of U.S. and City of Pittsburgh flags in the offices of City Council, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc. (Index Code 100115), City Council. ---**(SPONSORED BY MR. WAGNER)**

Also,

No. 1542 Resolution providing for the issuance of a warrant in favor of Hon Company (P.O. Box 92326, Chicago, Illinois 60075) in the amount of \$24,342.60 for the purchase of office furniture and support panel systems in the City Clerk's Office, chargeable to and payable from Code Account 1006 - Equipment, Index Code 100602, City Clerk's Office.

---**(SPONSORED BY MR. WAGNER)**

Also,

No. 1543 Resolution transferring the aggregate amount of \$34,200.00 from various code accounts within the Department of City Council and City Clerk's Office: \$20,000.00 from Code Account 1003 - Miscellaneous Services, City Clerk's Office (Index Code 100305) to Code Account 1006 - Equipment, City Clerk's Office, (Index Code 100602); and \$5,000.00 from Code Account 1004 - Newspaper Advertising, City Clerk's Office, (Index Code 100404) and \$9,200.00 from Code Account 1005-2 - Printing Municipal Records, City Clerk's Office, (Index Code 100529) to Code Account 1001-1 - Miscellaneous Services, Supplies, Equipment, etc., City Council, (Index Code 100115). ---**(SPONSORED BY MR. WAGNER)**

Which were severally read and referred to the Committee on Finance.

Also,

No. 1544 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of June 30, 1990.

Also,

No. 1545 Communication from Ben

Hayllar, Director of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of July 31, 1990.

Also,

No. 1546 Communication from Ben Hayllar, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of August 31, 1990.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milllones presented

Bill No. 1547

Report of the Committee on Finance for October 10, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1366

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$3,000.00 to William L. Hines and Elsie M. Hines, his wife c/o David J. Eckle, Esq., their Attorney, Eckle & Conway, P.C. 4328 Old William Penn Highway, Monroeville, PA 15146, in full and final settlement of alleged damage to property at 647 Seagirt Street in the City of Pittsburgh."

Which was read.

Also,

Bill No. 1430

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Three Thousand Two Hundred Fifty (\$3,250.00) Dollars, for payment without previous authority of law, to HJM Services, Inc., Robert Harris and Earl Johnson, Principal Owners, for services in connection with the City's MBE/WBE certification program."

Which was read.

Also,

Bill No. 1436

A Resolution entitled, "Resolution providing for the issuance of a \$771.00 warrant in favor of Michael and Diane Alexander in settlement of claim for sidewalk damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1437

A Resolution entitled, "Resolution providing for the issuance of a \$890.12 warrant in favor of David Puccio in settlement of claim for property damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1438

A Resolution entitled, "Resolution transferring the amount of \$1,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 1439

A Resolution entitled, "Resolution transferring the amount of \$1,000.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation."

---(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

Also,

Bill No. 1442

A Resolution entitled, "Resolution Repealing Resolution No. 686, effective August 25, 1987, which authorized the sale of a small vacant lot located at 5747 Pierce Street, 7th Ward, Block 84 J, Lot 151, to Norman Brice for the sum of \$350.00."

Which was read.

Also,

Bill No. 1443

A Resolution entitled, "Resolution Repealing Resolution No. 877, approved August 24, 1990, which authorized the sale of a vacant lot known as 821-823 Vista Street, 23rd Ward, Block 24 E, Lot 178, to Paul J. Lindenfelser, for the sum of \$1,000.00."

Which was read.

Also,

Bill No. 1444

A Resolution entitled, "Resolution authorizing the transfer of the aggregate amount of Four Hundred Thousand Dollars (\$400,000.00) from the 1990 Community Development Block Grant Trust Fund, Code Account CDPR, Housing Authority Recreation Salaries, Project No. 4-10-10-0010-90-221-90-10, Index Code 600007 to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages, fringes and indirect cost incurred in support of the City's Community Development Block Grant Program."

Which was read.

Also,

Bill No. 1447

A Resolution entitled, "Resolution transferring the amount of \$10,000.00 from Code Account 1017 (101717), Miscellaneous Services, Mayor's Office, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."

—(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Michelle Madoff
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1548

Report of the Committee on Public Works for October 10, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1431

A Resolution entitled, "Resolution amending Resolution No. 322 of 1990 authorizing the Mayor and the Chief Administrative officer of the City of Pittsburgh to enter into an agreement or agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various contractors with specialized skills in connection with the City's Solid Waste Management Program."

Which was read.

Mr. Ferlo:

Mr. President, I would ask my colleagues to please reconsider support of Bill

1431. We're setting a very bad precedent here if we allow a department director, and in this instance we're referring in the legislation to the Chief Administrative Officer, to expend and enter into contract and any number of contracts in an amount up to \$10,000 or less. This is an open-ended, carte blanche legislation and I think it's inappropriate to pass the bill as its worded here today.

If the Administration, in order to promote and expedite any activity within the recycling area and Environmental Services, if they need to enter into contract with a consultant or hire a company, whatever they need to do, they have the power to do it. They need to, very simply, come to Council with the appropriate authorization to enter into whatever contract and whatever dollar figure.

But the way this is worded, we're giving them carte blanche approval to enter into any and all contracts in the amount of up to \$10,000. We're diminishing the role and power of Council to provide oversight. And if anything needs to be looked over by City Council, it's this new program, the recycling program in the Environmental Services Department. There's lots of new activities and all kinds of contracts that will be entered into, but approving this today is a very bad precedent and I would urge my colleagues to vote against it.

Mr. Cohen:

Mr. President, I was going to speak on the same bill. I have to agree with Councilman Ferlo on this. One of our obligations under the City Charter is to oversee all expenditures of money by the City. That's a critical function of City Council, of this branch of government.

And forgetting what department it might be, because it doesn't matter, what this bill does is give the Administration the ability to enter

into contracts up to \$50,000. In the legislation it says 5 contracts of \$10,000 apiece; that's \$50,000 that we would be giving up the ability to oversee. And although I think the Waste Management Program is doing a fine job, we have to have accountability.

That's what this is all about, that Council is the body that oversees all expenditures of money. I think we need to see the expenditure of this money as well, so I'm going to vote no.

Michelle Madoff:

Mr. President and Members of Council, as you may recall, when I saw this bill it raised sort of a red flag with me. I guess I've been here a long time and I keep seeing the same hearings, the same post agendas, the same issues, and of course the same bills coming up over and over again.

If memory serves me well, I was opposed the first time and it was only when Mary Beth Rizutto said that she would be giving us a breakdown of the expenditures and they seem to be in small amounts of \$500 or \$700 that I relented and said that I would be willing to vote for it when I had originally, on previous bills of this nature, abstained.

Thinking it over, I'm uncomfortable for the reasons expounded by both of my colleagues for voting for this. And while I'd like to be cooperative with the Administration, I'm really uncomfortable and my instincts say that my first instincts were right and I'm going to have to vote against it.

Mr. Ricciardi:

Mr. President, after deliberating on this bill from last week's Standing Committee Meeting, I would agree with my colleague, Councilman Ferlo, in this case. I believe that all

expenditures of this type should be first reviewed by this body being utterly responsible for the taxpayers' expenditures. So, I will be voting with Councilman Ferlo, no on this bill.

Mr. Ferlo:

Mr. Chairman, just to reiterate. The only contract, I'm questioning last week at the Committee level, the only reference to any contract that would be entered into, as stated by Mary Beth Salley-Rizutto, was one organization, GRIP. The bill that came to us should have been a bill to enter into an agreement with a specific organization for specific services in an amount not to exceed \$10,000.

So, there's very nebulous wording and very nebulous response from the Director. The only mention specifically was one organization, so the bill should come back to us in that form. And if there are other groups or other consultants that need to be hired, we should be able to review that so we can have a discussion on it.

Michelle Madoff:

One very quick comment. I think we're sending the wrong message to the public that we're abdicating our responsibility. That's what we're elected to do and that was my first instinct and I shouldn't have bent.

I would ask that we get a fifth vote for this. I really think we're doing our communities and our constituents a disservice. We have four votes, I believe. We're not hurting anybody. All we're saying is please, Administration, we're going to work with you. We think you're doing a fine job. We think Mary Beth Rizutto is doing a fine job. But let us do our jobs that we were elected for.

Mr. Cohen:

Call the question.

The Chair:

Obviously there are four votes against and there are eight members here, so it's not going to pass the way it sits.

Michelle Madoff:

We may have a fifth. I'm not sure.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins

Mr. Wagner
(Pres't)

AYES 2

NOES 6

VOTING NO:

Mr. Cohen

Michelle Madoff

Mr. Coyne

Mr. Regan

Mr. Ferlo

Mr. Ricciardi

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also,

Bill No. 1462

A Resolution entitled, "Resolution accepting the

dedication of certain property of the Shadyside Plaza Associates, Ellsworth Plaza, to be used for a sewer easement and accepting the sewer therein, and abandoning the 15" sewer in the vacated Tay Way in the 7th Ward, 8th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1463

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental Resources for the purpose of granting the Department of Interior and the Department of Environmental Resources, a right of entry into, over and upon certain lands owned by the City of Pittsburgh in the 19th Ward, a license and right to install mine drainage piping."

Which was read.

Also,

Bill No. 1464

A Resolution entitled, "Resolution adopting Official Sewage Facilities plan for - South Side Local Development (Edwards Court)."

Which was read.

Also,

Bill No. 1465

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, entitled, 'Resolution adopting and approving the 1990 Capital Budget and the 1990

Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program;' by increasing a line item."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1549

Report of the Committee on Planning, Housing and Development for October 10, 1990 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1434

A Resolution entitled, "Resolution authorizing a Second Amendatory Community Development Corporations Cooperation Agreement providing for the transfer of an additional \$5,751.16 by the Urban Redevelopment Authority of Pittsburgh to the City of Pittsburgh to be used by the City to fund Community Development Corporations."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1440

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the North Side Civic Development Corporation, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304)

Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. MILLONES)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1448

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Airport Area Advisory Commission, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1313

A Resolution entitled, "Resolution approving Modification No. 1 to the Herr's Island Proposal, dated August 1, 1990, approving Modification No. 1 to the Herr's Island Redevelopment Area Plan dated July, 1990, and making certain findings related thereto."

Which was read.

Also,

Bill No. 1168

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Maps No'd. 6 & 11 by changing: From 'M3' Light Industrial and 'M4' Heavy Industrial Districts to 'SP-2' Herr's Island Specially Planned District all that certain property including the western half of Herr's Island bounded by: EAST OHIO STREET; MILLVALE BOROUGH MUNICIPALITY; the ALLEGHENY RIVER and Lot No. 150, Block 24-H in the Allegheny County Lot and Block System, 24th Ward."

Which was read.

Also,

Bill No. 1169

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', Article IV 'Planned Development Districts', Chapter 973 'SP' Specially Planned Districts, Section 973.09(b), 'SP-2' Herr's Island, also known as 'Washington's Landing', by inserting item No. 4 & No. 5, creating Development Sub-

district C & D, and regulations therefore."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1550

Report of the Committee on Water for October 10, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1435

A Resolution entitled, "Resolution amending Resolution No. 481, effective June 15, 1989, entitled 'Providing for the Amendment of Lease with Forbes Street Associates of certain space

on the third floor of the 441 Smithfield Street Building to expand the area of the leased space and to provide for the payment of additional rent therefore', in order to increase the dollar amount from the annual amount of \$110,630.04 to the annual amount of \$114,578.04 to include the payment of leased space for storage at 441 Smithfield Street, and providing for the payment thereof."

Which was read.

Michelle Madoff:

I think there's an error in the bill. We never accept bills that say "Acme Company" or "Forbes Street Associates" without getting the principle. I don't think the principle's name is here, is it?

The Chair:

If I'm not mistaken, the principle is Oxford Development.

Michelle Madoff:

I just want to know who it is.

Mr. Ferlo:

Mr. Chairman, I just want to say that I'm voting no on this legislation. I voted no originally on the lease arrangement. I find it ironic that here in the City County Building City government provides housing for County offices at \$3 and \$4 and \$5 a square foot and yet we pay upwards of \$12 and \$13 a square foot in the private marketplace.

There is ample storage, if additional space is needed by the Water Department, there's ample storage in the Public Safety Building alone as well as other municipal buildings around the City of Pittsburgh. And I cannot, in

good conscience, vote for an additional sum of money to store Department of Water records or whatever else they're storing.

Michelle Madoff:

Clarification. My initial reaction was the same as my colleague, Mr. Ferlo. But it appears that the process right now of going to microfiche requires that the materials be very close, very nearby, and what they're getting is some inexpensive space. \$11 for Downtown space is not expensive. They're going to get \$5 and \$6 whatever it is.

The issue is that, in principle, I'm a little tired of seeing monies going out and expenditures and switching from one line item to another when we have this horrendous outstanding multi-million dollar balance that hasn't been collected and I have been more than patient.

As you know, last July I made a presentation to the Water and Sewer Authority to say that we've got to clean up this act that's been stinking for 35 years. And now I believe that there is some hope and the reason I've been patient is that Dawn Botsford, the new Director, is moving to clean up the problems that we've had by getting some legislation through so we can clean up what is really collectible, what isn't, and making some regulations and rules and outlining the process by which we'll go after the delinquent accounts.

I've been promised that by budget time when Ms. Botsford comes to Council to present her budget for next year, she will indeed tell us exactly what is going to happen. For me, that is zero hour. It cannot go any longer than that. There has to be a plan in place that will address those issues. And the overall scheme of things is \$5 to help clean up the multi-million dollars, so much a foot, is not really of any great magnitude. But I appreciate the oversight, the

overview by any of my colleagues on this committee. Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ricciardi presented

Bill No. 1551

Report of the Committee on Parks and Recreation for October 10, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1441

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greater

North Side Athletic Association, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1445

A Resolution entitled, "Resolution providing for a License Agreement(s) with the Salvation Army for the purpose of providing for the use of the facility located at 1821 Broadhead-Fording Road, Pittsburgh, PA 15205, as a Recreation Center. The total cost shall not exceed \$13,000.00, and shall be chargeable to and payable from Code Account 1801 (180109)

Miscellaneous Services in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1446

A Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of Parks and Recreation, on behalf of the City of Pittsburgh, to enter into a Lease Agreement with the School District of Pittsburgh, for use as a public recreational area."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1552

Report of the Committee on Engineering and Construction for October 10, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1428

A Resolution entitled, "Resolution further amending Resolution No. 344, effective April 21, 1989, as amended by Resolution No. 963, effective September 24, 1990, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts for the Rehabilitation of Various Public Safety Facilities, including but not limited to No. 1 Fire Station (Council District #6) and No. 6 Police and No. 18 Fire Station (Council District #8), and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$50,000.00 from \$775,000.00 to \$725,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1429

A Resolution entitled, "Resolution providing for the taking of property in the Second Ward, City of Pittsburgh, owned by Edward M. Early and Sandra L. Early, his wife, for the Reconstruction of Grant Street, Liberty Avenue, Phase III, Liberty, Tenth Street and Sixth Avenue, and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Michelle Madoff:

Just one question, please. Was there a dollar figure?

Mr. Cohen:

No. On that bill they're condemning the property and then they're submitting to a review board, an arbitration board, to come up with an amount. They could not agree on the price.

Michelle Madoff:

If memory serves me well, this is the property that Engineering and Construction, under McDermott, knew we were going to be developing when we developed Grant Street and didn't move to buy that property when it was available. Let Mr. Early take the property. I want to know what he paid for it. I want to be posted as a Member of this Council, as should all of us, because I went on at length about this issue when it came up originally. And I want to be

sure that in the future we don't let that kind of thing fall through the cracks.

This is a very serious cost to the City. I realize now that he has it we're going to arbitrate and I like to know what he paid for it initially. We should have bought it.

The Chair:

So, your request is to obtain additional information about what the purchase price was for Mr. Early.

Michelle Madoff:

I've asked for it before. This is not the first time I'm requesting this information. I don't get the answer and I'd like to have it, but we've had a change of directors.

Could we get a letter to Mr. Alex Sciuilli?

Mr. Cohen:

Let me just briefly speak to Michelle's point. I agree that this is an important purchase -

Michelle Madoff:

It's outrageous.

Mr. Cohen:

Yes. And you said that the City should purchase it. The City has tried to purchase it and they haven't been able to reach an agreement with Mr. Early on this. The only action to take, then, is to condemn the property and have a neutral board come up with a price.

I agree with you. I don't have any problem getting more information on it, but as far as the process that's being taken here, I think it's a

good process.

Michelle Madoff:

That's not my issue. Excuse me. I want to clarify it. I want to know why the City didn't buy it before Mr. Early. We knew we were going to need that corner; that's the thing I'm very distressed about. It's outrageous.

Mr. Cohen:

I think it's a good question.

Mr. Ferlo:

Mr. Chairman, this bill and this issue has come before Council in the last three years three different times. Each time I voted no, I voted no probably for a different reason than Michelle, and that is, it doesn't make any sense. This is not only a waste of taxpayers' money, albeit state tax dollars and other dollars that will be utilized for this project. But mainly, it just doesn't make any sense.

First of all, to answer Michelle's question, the price paid by Mr. Early was \$200,000. He contends that he paid an additional \$75,000 for equipment within the building. The URA offered considerably less and, as Mr. Cohen pointed out, approving this bill today will condemn the property, it goes to the Board of Code Review for some other figure. Ostensibly, it's going to be at least \$240,000 or \$250,000 at best.

The reason why I'm opposed to it is that it doesn't achieve the stated purpose. The stated purpose is to straighten out and improve the intersection. Taking this little piece of property, if you walk the area, does not straighten out the intersection. It's true that more and better signalization is needed at that intersection, but taking this property does not attain it.

It may look good and make sense to some bizarre engineer or architect who sits in an office and plans things out but anybody who walks the area should know better. It doesn't achieve the stated purpose, it's a waste of taxpayers' money at the state level, and most importantly, we're removing a valuable piece of property off the tax rolls.

So, for all those reasons, and another hour's debate doesn't make any sense for me to talk about it, I'm voting no on this legislation.

The Chair:

I'd like to interject a comment. Our traffic safety engineers have advised us that this is necessary to make this intersection safe in the future. And that's the reason why we're pursuing this objective and I support that initiative.

Michelle Madoff:

I agree with you, Mr. President. We should have bought it when we knew we needed it, not let this Mickey Mouse issue go ahead with Mr. Early. I remember when he bought it and I screamed then. I'm really distressed and I don't think people should forget. I think this Administration, under the new director, is trying to correct a grievous wrong.

Tomorrow, as you know, there's a luncheon which I discussed with you about our Members attending, which will probably be addressing a lot of those issues because if you're going to build there you really need to have that corner being effective. I think that Mr. Ferlo and the rest of us ought to go to find out what else is needed at that intersection.

Mr. Ferlo:

On your comment, Mr. Chairman. If that's the standard we're going to use, I hope that

the Administration will look closely at a property that's available at Baum and Negley. If you want to straighten out and deal with a bad intersection, I suggest you condemn that property and not this one.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1561 Resolution reappointing Alma Speed Fox, 7124 Apple Avenue, Pittsburgh, Pennsylvania 15206, to the Human Relations Commission for a term effective immediately and to expire July of 1992.

Which was read.

Also,

No. 1562 Resolution reappointing Constance Wellons, 120 Climax Street, Pittsburgh, Pennsylvania 15210, to the Human Relations Commission for a term effective immediately and to expire July of 1992.

Which was read.

The Chair:

These two people have done an excellent job.

Michelle Madoff:

I make a motion that we accept both of them.

Mr. Cohen seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the appointments of Ms. Fox and Ms. Wellons were approved.

The Chair:

I'd like to make a brief announcement. We have a post agenda sponsored by Mr. Ricciardi at noon pertaining to South Oakland.

We have a 2:00 public hearing pertaining to vendors.

I'm not sure if all Councilmembers are aware, there is a public hearing this Thursday in this Council Chamber pertaining to the Riverfront Commission Draft Report. My office is circulating to all of your offices a copy of that report and if any of you want to testify at the hearing, please do.

Mr. Coyne:

I'd like to make a motion that the public hearing on Thursday afternoon concerning the rodeos be televised.

Mr. Cohen seconded the motion.

Mr. Regan:

Opposed.

Which motion prevailed.

Michelle Madoff:

On two other items that I think are worth noting. I'm sure that my colleagues read the articles about Philadelphia and the terrible problems facing Philadelphia, but I thought it was interesting to note that Philadelphia, with all its problems, is still getting monies from the suburbanites. One-third of the people who do not live in Philadelphia, which is indeed Philadelphia County which means New York, Connecticut, and whatever, are still paying their wage tax to Philadelphia.

If the City of Pittsburgh could get suburbanites to pay their wage tax at a little over 2 percent and even take out the percentage that they pay in their own communities, Grant Street wouldn't be covered with bricks, they would be gold bricks.

I think that we must still persist in trying to get some tax reform and not forget that we are being treated differently than Philadelphia and it isn't fair out of Harrisburg.

On another item. I just want to mention very briefly that in Tuesday's Post Gazette this morning New York City took a major step yesterday towards becoming the first large city in the United States to ban cigarette vending machines from most public places.

"The City Council's Health Committee unanimously passed a bill that would ban machines from apartment buildings, gasoline stations, coin operated laundries, restaurants where the sale of alcoholic beverages is incidental. Taverns and many bars would be exempt.

As many as 75 percent of the city's estimated 36,000 cigarette machines would be affected. The ban would take effect January 31, 1992. The full Council is to act on the bill October 25th."

And the Mayor yesterday came out with a statement saying that we're going to stand by their policy on our cigarette banning bill and let the cards fall where they may.

The Chair:

Thank you.

And on the motion of Michelle Madoff

Council adjourned.

MUNICIPAL RECORD

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No. 41

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, October 23, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, Members of Council and friends. This resolution is being introduced by Councilman Darkins, Councilman Ferlo and myself because it pertains to an organization that covers all of our neighborhoods in each of our districts.

I'd like Leslie Reicher and Tony Finizio to come up, please.

Mr. Cohen, Mr. Darkins and Mr. Ferlo present

No.1602 WHEREAS, the Eastside Alliance was created as a cooperative effort of the Eastside neighborhoods of Bloomfield, Garfield, Lawrenceville and Polish Hill; and

WHEREAS, the Eastside Alliance is a coalition of the following organizations: Bloomfield-Garfield Corporation, Bloomfield Lawrenceville Lions Club, Bloomfield Lawrenceville Lioness Club, Friendship Baptist Church, Garfield Jubilee Association, Lawrenceville Business Association, Friendship Development Associates, Lawrenceville Bloomfield Meals on Wheels, Lawrenceville Citizens Council, Lawrenceville Development Corporation, Lawrenceville Historical Society, Penn Merchants Association, Polish Hill Civic Association, St. Augustine Church, St. Francis Health System, St. Mary's Church, Trinity Bap-

tist Church, and West Penn Hospital; and

WHEREAS, these neighborhoods are working together to keep their communities vibrant places for young and old to work and live; and

WHEREAS, the Eastside Alliance was created because each neighborhood could be stronger if they worked together; and

WHEREAS, the Eastside Alliance is working on such concerns as housing, employment, youth and public safety; and

WHEREAS, the Eastside Alliance is currently working on such projects as helping homeowners keep their properties attractive, using City loan programs for needed repairs, trying to link residents with jobs right in their own backyards, and helping to give youth a sense of hope.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Eastsider of the Year, Tony Finizio; the recipient of a special Service to Youth Award, Dick Romano; and these following Volunteers of the Year: Walter Forston, Cecelia Gazica, Rick Booth, Vera George, Eve Picker, Margaret Magill, Jim Foley; Mary Zajac, Donna Couch, Anne New, Mary Meyers, Reverend Keith Grill, Mattie Howard, David Vogel, and the Parishioners of St. Mary's Roman Catholic Church who work with the addicted; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Friday, November 2, 1990 as "Eastside Day".

Mr. Cohen moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, Members of Council. I'm very happy to have with us here, along with Councilman Darkins, Leslie Reicher who is the Executive Director of Eastside Alliance, and the Eastsider of the Year, Tony Finizio.

As I mentioned, this group does much to work with worthy projects such as employment and housing and public safety. And I'd like to first congratulate Tony Finizio for being Eastsider of the Year. Congratulations.

Mr. Finizio:

I want to thank Council for all the years that I've been down here asking for funds for different organizations, especially Meals on Wheels. Thanks a lot for all the support.

Ms. Reicher:

Thank you, Council. I'd like to invite all of you to come to our dinner on Friday, November 2nd to honor Tony Finizio, Dick Romano, and all the other neighborhood volunteers for all of their work.

Tony is sort of the "volunteer everyman", it seems to me. He is a name that a lot of people may not know, but his impact in the neighborhood is tremendous for a lot of individuals in the neighborhood who can't get out of their homes who he goes to help every day of his life.

So, please come out to honor Tony, and thank you very much.

Mr. Darkins presents

No. 1603 WHEREAS, Earl Jones, Sr. is the Founder and President of Hazelwood Development Corporation; and

WHEREAS, Earl Jones, Sr. is the guiding influence in establishing a monument in memory of Richard D. Hough, a runner who died in the Pittsburgh Marathon; and

WHEREAS, Earl Jones, Sr. used his vast skills to rally the support of Pittsburgh's corporations and individuals to raise the funds to establish the monument; and

WHEREAS, Earl Jones, Sr. is a man who is most worthy of honor and congratulations for his love of Pittsburgh and his dedication to its citizens and public officials.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 23, 1990 as "Earl Jones, Sr. Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mr. President, we have Mr. Earl Jones here today and we also have Jane McMullen who is our Jury Commissioner of Allegheny County, one of them, that is receiving these honors and we would like for them both to have something to say.

Mr. Jones:

I'm honored to be here today and I would like to thank the people not for myself but the other people responsible for this monument. They consist of Jane McMullen who has helped

me with the writing on the monument; Ross Calfo and Ted Komorowski. And also the people of the City and the employees of Duquesne Light and Mike Radley who gave me permission to put this monument on the Point the day of the race. Without the help of every person that donated and without the help of the City and the churches, it wouldn't have been possible.

At one time they said that nobody recognizes the ordinary man in Pittsburgh. Well, this monument does and that's what makes this such a great City to live in and I'm proud of the effort. Thank you.

Ms. McMullen:

Earl, as a member of the Hazelwood Development Corporation, I know how much the people in your area and this monument has meant to you and how hard you've worked to get it established.

I also know that when you talk about "every man", there's no more an "every man" caring about every person in their community than you. Keep up the good work.

Mr. Darkins:

I would just like to say that I want to thank you for asking me to come to present the monument at the memorial services on that day. It was just great.

Mr. Jones:

May I say one more word? One of the things that I really appreciate is Councilman Darkins coming and helping to dedicate that and say a prayer for all of the people that were in the race and those who are no longer with us. I'm very proud of his effort. He was there when I needed him.

The Chair:

Thank you all for coming today.

Mr. Darkins:

I'd like to ask Mrs. Jacobs to come forward, please.

Mr. Darkins presents

No. 1604 WHEREAS, Joan Rivers has become one of the most accomplished entertainers in the world; and

WHEREAS, Joan Rivers is the host of the "Joan Rivers Show" and has excelled as an actress, playwright, screen writer, author, motion picture director and comic genius; and

WHEREAS, Joan Rivers is a terrific mother to her lovely daughter, Melissa, and "Spike the Wonder Dog"; and

WHEREAS, Joan Rivers is loved by all people of all creeds and nationalities simply because she has first showed love; and

WHEREAS, Joan Rivers is a special lady who has survived the rough times to become an example to many aspiring professionals; and

WHEREAS, Joan Rivers is a person that is most worthy of recognition, honor and our love.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 26, 1990 as Joan Rivers Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Mrs. Jacobs here today to receive this resolution. She is from Kaufmann's Triangle Corner where she will be performing.

Mrs. Jacobs:

Thank you very much. On behalf of Kaufmann's Triangle Corner, Ltd., I'd like to thank you for your support of our programs. Triangle Corner is Kaufmann's program for the Pittsburgh business community and we appreciate your support. Thank you.

Mr. Ferlo:

I'd like to move the following resolution and I'd like to have our representatives from the Housing Authority Agency come forward.

I'm very pleased that David Washington is here, the Executive Director of the Agency; Reverend Simms, no stranger to City Hall and these Chambers, one of the Deputy Directors at the Agency; and Linda Brown from Arlington who is no stranger to Council Chambers also.

Mr. Ferlo presents

No. 1605 WHEREAS, HUD has awarded a \$960,000 grant to the Housing Authority of the City of Pittsburgh to initiate a comprehensive strategy to address the complex problem of crime related to drugs and to provide a safe environment for our residents living in our public housing communities; and

WHEREAS, the program provides for physical and street lighting improvements to add to resident security and to reduce the concentration of drug related activity in open public

spaces; and

WHEREAS, the Housing Authority strategy is a unique effort to combine traditional public safety and police enforcement with physical improvements in the community together with initiatives focusing on education, prevention and referral; and

WHEREAS, the Housing Authority program will work cooperatively with the statewide drug enforcement task force, the City of Pittsburgh Police Bureau, the Allegheny County MH/MR Agency, and the court system to provide services for treatment referral and consultation; and

WHEREAS, the Housing Authority initiative will strengthen the capacity of existing human and social service agencies to provide a more coordinated and comprehensive range of services to families at risk; and

WHEREAS, the Housing Authority initiative will maximize tenant involvement and participation in the fight against drugs and will be community and family focused and is a collaborative effort with such agencies as the Urban League of Pittsburgh, the Addison Terrace Learning Center, Project 90, Neighborhood Centers Association, City of Pittsburgh Parks and Recreation, Arlington Heights Resident Council and Northview Heights Residents Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh supports and congratulates the Housing Authority of the City of Pittsburgh and HUD for their efforts to fight drug related activity and the complex problem of crime associated with drug activity; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh extends a spe-

cial thank you to the residents, employees, and Board Members of the Authority for their effort and declares our firm resolve to be a strong, visible and vocal ally in this critical battle to improve the quality of life for thousands of our residents.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I think all of us in Council have been pretty active and supportive of the activities of the Housing Authority. I'm very excited about what's going on at the Housing Authority; I really believe it's a new day at the Agency both in terms of leadership from the staff, as expressed by the two gentlemen who are here today, but also I think there's a lot more leadership on the part of the Board, but most importantly on the part of the residents.

And indicative of this award from the Federal Agency is an indication that tenant involvement is really key to addressing a lot of the issues confronting our public housing communities. And certainly the anti-drug effort is premiere in that battle to improve the quality of life in our communities, communities that affect 30,000 residents here in the City of Pittsburgh.

So, I'm very excited to be a part of some of these efforts. I thought it was important that often times the Agency is barraged with publicity and often times bad publicity, and I think it's important that we give credit to this Agency when their doing good work. And I think the Agency has turned the corner. I think a lot of good work is being done.

I'm excited about another effort. One of

the Mayor's appointees to the Board, Dr. Herman Reed, has been helping with Reverend Simms to do a needs assessment with the United Way Agency and there's lots of other things hopefully David and Reverend Simms will talk about. But I think it's time that we really begin to applaud and designate and articulate the things that are going on at the Housing Authority. And I'm really pleased that so many Councilmembers have become much more active in their respective communities in the public housing community.

So, at this time, I'd like to turn to David Washington and maybe Linda Brown and Reverend Simms would like to make a few comments.

Mr. Washington:

Mr. President and Members of Council, we deeply appreciate the opportunity to receive this proclamation and resolution here today. As Councilman Ferlo indicated, so often in the past the kind of publicity that has come out about the Housing Authority has been in the negative fashion and it's good to get something and hear about something that's positive.

On behalf of the Authority, let me also indicate how much we appreciate the real effort that our Resident Council Leadership in Arlington Heights and also in Northview Heights put into the preparation of our application that went in. And without the kind of partnership-type support that we've been receiving from City Council, a lot of this could not be reality.

So, on behalf of the Housing Authority, let me again just express our deep appreciation. And we're going to continue to work together to deal with this massive problem. I realize this is a beginning but we're going to work with it and again, thanks very much.

I'd like to ask Linda to come forward. This is Linda Brown who I'm sure you know is President of the Arlington Heights Tenant Council.

Ms. Brown:

Thank you, Council, for passing this resolution. On behalf of the residents in Arlington Heights, I must say this; this application was approved with the input of residents from Arlington Heights, Northview Heights. Also the Hill, we're talking Addison Terrace and Alequippa Terrace. So, without the input of the residents, I don't think this would have happened.

And there is a new day, as Mr. Ferlo said, in the Housing Authority. The Housing Authority is starting to listen to the concerns of the residents. And with the approval of this drug prevention and drug-related resolution, I think we're on the right steps. Thank you.

Mr. Washington:

And the man who had to pull this all together so that we could get the million dollars, Reverend Jim Simms.

Reverend Simms:

Thank you very much. I'd just like to add my comments to those that have already been stated.

We certainly appreciate the support of our tenant leadership in this application. Often time, as you know, when Pittsburgh is in a competitive position with other cities and other jurisdictions, we have to struggle hard to make sure that our issue is on the agenda.

We're very happy that HUD has had the kind of confidence in this Authority and its Administration, the support of Council and others,

to make this grant.

As Councilman Ferlo indicated, the lifting of issues in public housing is quite heavy. And the Housing Authority is going to need a lot of help in being able to bring some serious initiatives to improve the quality of life for the 30,000 people in public housing. We'll ask each Councilmember to keep that on your agenda as we'll be coming by talking to you about Block Grant support and other areas of support that this Administration can make to help us in public housing. But we certainly appreciate that.

We ask tenants to continue to be vigilant and we are also grateful for the support of our new Boardmembers and the renewed enthusiasm that's in the Authority.

Again, we thank you very much and thank Councilman Ferlo for this public recognition of the effort. Thank you very much.

Mr. Ricciardi presents

No. 1606 WHEREAS, Dr. Michael A. Dickerson will celebrate his 8th Anniversary as Pastor of the South Hills Baptist Church on Sunday, October 28, 1990; and

WHEREAS, Dr. Dickerson has served as President of the Minister's Conference of Pittsburgh and vicinity for the past two years; and

WHEREAS, Dr. Dickerson is presently a member of the Allegheny Union Baptist Association and the Pennsylvania Baptist State Convention; and

WHEREAS, Dr. Dickerson is very active in the community and in the Minister's Conference; and

WHEREAS, Dr. Dickerson has played a

special role in providing leadership for the young people and the older members of the South Hills Baptist Church.

NOW, THEREFORE, BE IT RESOLVED, that the President and Members of the Council of the City of Pittsburgh hereby salute Dr. Michael A. Dickerson on his 8th Anniversary as Pastor of the South Hills Baptist Church.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Cohen presents

No. 1563 Resolution amending Resolution No. 259, effective March 21, 1990, entitled, "Providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Swimming Pool Design and Rehabilitation of Existing Facilities, including but not limited to Homewood, Ormsby, Cowley and Beechwood; and providing for the payment of the costs thereof." by increasing the total project allocation by \$220,000.00 from \$400,000.00 to \$620,000.00. Chargeable to and payable from Code Account EC90-103, 3-13-62--1351-90, Index Code #814657, "1989 Project Fund".

Also,

No. 1564 Resolution amending Resolution No. 1061, effective January 1, 1990, as amended, entitled, "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program", by redefining funding sources, \$220,000 from EC 212 Step

Reconstruction to EC 103 Swimming Pool Renovation.

Which were read and referred to the Committee on Engineering and Construction.

Mr. Darkins presents

No. 1565 Resolution transferring Three Hundred Sixty Three Thousand Dollars (\$363,00.00), Code Account CC, Community Communications Trust Fund, (Index Code 250555) to the General Fund, (Index Code 017939) City of Pittsburgh for reimbursement of indirect costs incurred by the Bureau of Cable Communications for 1990.

Which was read and referred to the Committee on Finance.

Also,

No. 1566 Resolution providing for an agreement or agreements with Group for Recycling in Pennsylvania for professional services in connection with the public education program for recycling in the City of Pittsburgh at a cost not to exceed \$5,000.00 chargeable to and payable from C.A. 1173, Recycling Services in the Department of Environmental Services.

Also,

No. 1567 Resolution providing for an agreement or agreements with Agents of Change for professional services in connection with the public education program for recycling in the City of Pittsburgh at a cost not to exceed \$576.00, chargeable to and payable from C.A. 1173, Recycling Services in the Department of Environmental Services.

Also,

No. 1568 Resolution changing the name of McCandless Street from Harrison Street to Celadine Street in the 10th Ward, 7th District of the City of Pittsburgh to McCandless Avenue.

Also,

No. 1569 Resolution granting unto The Pittsburgh Action Against Rape, 81 South Nineteenth Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicapped ramp and planter on a portion of the sidewalk of South Nineteenth Street in the 17th Ward, 3rd District of the City of Pittsburgh.

Also,

No. 1570 Resolution granting unto Riverside Commons Project, Hollander Building, 415 East Ohio Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a loading dock and dumpster on a portion of the right-of-way of Hope Street and East LaCock Street, 23rd Ward, 1st District of the City of Pittsburgh.

Also,

No. 1571 Resolution granting unto Peoples Natural Gas Co., 1201 Pitt Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, 3 vaults, on a portion of the sidewalk, Meyran Avenue, 4th Ward, 3rd District, Liberty Avenue, 8th Ward, 8th District, Butler Street, 9th Ward, 7th District, of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presents

No. 1572 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, District Map No. 7, by changing: From "M3" Light Industrial District to "SP-3" Public Safety Complex - Specially Planned District No. 3 all that certain property generally bounded by: Second Avenue; Tenth Street Bridge; the Monongahela River; the Port Authority LRT Bridge and Greenough Street, 1st Ward.

Also,

No. 1573 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 973 "SP Specially Planned Districts" by creating a new district to be identified as "SP-3 Public Safety Complex - Specially Planned District No. 3" including rules and regulations.

Which were read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1574 An Ordinance amending the Pittsburgh Code, Title Three, "Water", Article I, "Administration", Chapter 303 "Board of Water Assessors" - requiring that the members of the Board of Water Assessors shall not be employed by the City of Pittsburgh. ---**(SPONSORED BY MR. FERLO)**

Which was read and referred to the Committee on Water.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1575 Resolution providing for an Agreement or Agreements with East Liberty Development, Inc., for the implementation of Enterprise Zone activities in the East Liberty Enterprise Zone, at a cost not to exceed \$110,000. Payable from the East Liberty Enterprise Zone Trust Fund.

Also,

No. 1576 Resolution providing for the authorization and transfer to the General Fund of the City of Pittsburgh for reimbursement of Salaries and Indirect Costs for the Community Development Block Grant Program from the following account: 1989 CDBG Program, Department of City Planning (CP-89-01), CD Planning, Program Salaries, and Indirect Costs, Index Code #584060 - \$668,311.39.

Also,

No. 1577 Resolution authorizing the URA to condemn and acquire all of the City's right title, and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh designated as Block 2D, Lots 328, 327, 326, 325, 324, 322, 321 and 320 in the Deed Registry Office Residential Land Reserve Fund (VPRC).

Also,

No. 1578 Resolution authorizing the URA to acquire that property in the Third Ward of the City of Pittsburgh in the Third Ward of the City of Pittsburgh owned by Maurice Mysels, Dolores Mysels, Executrix, and designated as Block and Lot 2-D-327, under the Residential Land Reserve Fund - VPRC.

Also,

No. 1579 Resolution authorizing the URA to acquire that property in the Third Ward of the City of Pittsburgh owned by Arnold Fineberg, Ralph Fineberg and Serena Fineberg and designated as Block and Lot 2-D-326, under the Residential Land Reserve Fund - VPRC.

Also,

No. 1580 Resolution authorizing the URA to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh designated as Block and Lot 15-S-51 in the Deed Registry Office -- Residential Land Reserve Fund (sideyard use).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presents

No. 1581 An Ordinance supplementing the Pittsburgh Code, Title 2 - Fiscal, by adding a new Chapter 212 entitled, "Tax, Water Charges and/or Municipal Claims Certificates". ---(**SPONSORED BY MICHELLE MADOFF**)

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1582 An Ordinance supplementing the Pittsburgh Code, Title III, Water, Article I, Administration, Chapter 301, Definitions, by adding new Sections relative to Payment Agreements, Limitation of Liability and Previous Unbilled Water Usage. ---(**SPONSORED BY MICHELLE MADOFF**)

Which was read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1583 Resolution providing for the issuance of a warrant or warrants for payment, without previous authority of law, in the amount of \$2,941.51 to Keystone Mailing Service, Inc., for obtaining Department of Water customer telephone numbers and adding them to the billing system data base, chargeable to and payable from Code Account 1922, Index Code 192203, Miscellaneous Services, Administration Division, Department of Water.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Milliones presents

No. 1584 Resolution transferring the sum of \$12,000.00 from Code Account 1043 (104307) Miscellaneous Service, City Information Systems, to Code Account 44-1 (004416) Unemployment Compensation Fund, Department of Finance. The reason for the transfer is that the first quarter payment made to the Commonwealth of Pennsylvania Unemployment Compensation Insurance was inordinately high thus leaving a shortfall of appropriation for the remainder of the year.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1585 Resolution providing for the issuance of a warrant in favor of Mellon Bank, Corporate Trust Administration, in the amount of \$32,591.91 in payment for Paying Agent Fees for various City of Pittsburgh General Obligation Bonds, chargeable to and payable from the Sinking Fund (000299).

Also,

No. 1586 Resolution transferring Four Thousand Dollars (\$4,000.00) from Code Account No. 1100 (110007), Miscellaneous Services to Code Account No. 1101-9 (110197),

Workers Compensation, Department of Personnel and Civil Service Commission.

Also,

No. 1587 Resolution providing for an agreement(s) with Wm. N. Dunn for professional services in connection with the research and preparation of the Impact of Military Spending on Employment and Social Services for the City of Pittsburgh for the year 1990 at a cost not to exceed \$4,500.00 chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presents

No. 1588 Resolution authorizing the transfer of thirty-five thousand dollars (\$35,000.00) from Code Account (1446-1), Index Code (144618), Investigations Expense, Bureau of Police to Code Account (1443-6), Index Code (144360), In-Grade Pay, Bureau of Police, Department of Public Safety. Prior approval granted by Council October 17, 1990.

Which was read and referred to the Committee on Finance.

Also,

No. 1589 An Ordinance amending and supplementing the Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire Prevention, 1990 Edition and a new Title Ten - Building, 1990 Edition.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presents

No. 1590 An Ordinance supplementing and amending the Pittsburgh Code, Title Three, Water, Article I, Administration, Chapter 303, (Board of Water Assessors) changing title to read Water Accounts Receivable Advisory Committee and by changing 303.01, Composition and 303.02 Duties. ---**(SPONSORED BY MR. RICCIARDI)**

Which was read and referred to the Committee on Water.

Also,

No. 1591 Resolution transferring the aggregate amount of \$700,000.00 to various code accounts from Code Account SPP (254359), Special Parks Program the amount of \$75,000.00 and from Code Account SSFSP (270256) Special Summer Food Service Program in the amount of \$625,000.00 in the Department of Parks and Recreation.

Also,

No. 1592 Resolution transferring the amount of \$88,272.39 from Code Account SSFSP (270256) Special Summer Food Service Program Trust Fund to Code Account SPP (254359), Special Parks Program in the Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

The Chair presents

No. 1593 An Ordinance supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and Other Animals, Chapter 631, Animal Bites, by adding a new Section 631.01, Penalty and Violation. ---**(SPONSORED BY MR. WAGNER)**

Also,

No. 1594 An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and Other Animals, Chapter 635, Other Animals and Fowl, by changing Section 635.04 - Litter Registration: Limits: Exceptions, and by changing Section 635.05 - Violation and Penalty. ---**(SPONSORED BY MR. WAGNER)**

Also,

No. 1595 An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct, Article III, Dogs and Other Animals, Chapter 633, Dogs. ---**(SPONSORED BY MR. WAGNER)**

Which were severally read and referred to the Committee on Public Works.

Also,

No. 1596 Petition from the residents of the City of Pittsburgh, requesting a public hearing concerning Bill Nos. 1490 - 1496 & 1506 - 1526, the reprogramming of previously committed Community Development Block Grant and bond fund monies for various park projects for the Ammon Recreation Center. This petition is valid in accordance with Section 320 of the Home Rule Charter.

Which was read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1597

Report of the Committee on Finance for October

17, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1476

A Resolution entitled, "Resolution providing for the transfer of funds totalling Twenty Thousand (20,000.00) as follows: Ten Thousand (\$10,000.00) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations For Non-City Water, Administration Division, and Ten Thousand (\$10,000.00) Dollars from Code Account 1977, Index Code 197707, Utilities, Purification & Pumping Division, to Code Account 1971, Index Code 197103, Premium Pay, Purification & Pumping Division, Department of Water."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Also,

Bill No. 1477

A Resolution entitled, "Resolution amending Resolution No. 886 of 1987 entitled 'Resolution providing for an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh, Richard Caliguiri, Eugene DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et. al. v. City of Pittsburgh, et. al., filed in the United States District Court for the Western Pennsylvania at C.A. No. 86-173, providing for the payment of the cost thereof from Code Account No. 1075, Miscellaneous Services, Department of Law, Index Code No. 107508;' so as to increase the amount authorized from \$165,000.00 to \$200,000.00."

Which was read.

Michelle Madoff:

On Bill 1477, I think it's appropriate that both you, Mr. Wagner, and myself abstain since we're parties to the lawsuit. There should never have been a lawsuit because they were going to get election by district in any event.

Mr. Ferlo:

I'm voting no on Bill 1477, as I've indicated, and I'd like my comments be brought forward.

However, I do think it's wrong for Councilmembers to abstain on that bill regardless of their name being mentioned in the legislation. For one thing, if they vote no, the bill may not pass because I believe it needs six votes to ap-

prove the authorization for the expenditure

We approve legislation each year regarding the tax mix on lands and buildings. For those of us who own property it directly affects us.

So, there's no logic whatsoever in this bill for people to abstain on it unless you have some ruling from the Solicitor which we haven't seen yet.

The Chair:

We haven't seen a ruling but thinking back when the legislation was originally initiated it would have never passed if everyone involved would have abstained.

Mr. Ferlo:

I wish Council would have abstained when they originally agreed to spend the money. We wouldn't be in this problem in the first place.

The Chair:

That's not the point I'm making, Mr. Ferlo, please.

So, I personally think we can vote on the legislation.

Michelle Madoff:

I'm sorry, Mr. Wagner. Did you say you personally think we can or cannot?

The Chair:

It's obvious when it was originally initiated that we did vote for it without having the testimony or the record here. Or else it would not have passed with those Councilmembers or the most recent group of Councilmembers. We

have received no notification from the Law Department saying we should not vote on the legislation.

Michelle Madoff:

Mr. Wagner, my understanding of what had transpired at that point, and I was in the forefront of this effort to go to election by district so that we would have minority representation. But despite the fact that that was proceeding and it was going to happen, we were sued. If somebody wants to sue us, anybody can sue anybody for whatever they want.

It seems to me that we didn't create this bill, someone else created the bill suing us and I think it's inappropriate for us to vote for it.

And if Mr. Ferlo is so concerned about getting the bills to pay for it and the courts are indicating there should be some payment for it, then he should vote yes instead of saying, "I'm going to vote no but you other people vote yes."

Mr. Cohen:

Mr. President, this issue actually is covered by the Ethics Bill but since it's not in effect yet, I guess you can abstain.

My view on this is that you should abstain only if it's going to affect each of you financially. And in the substance of the bill, it may have; but since this is only on the attorneys fees aspect of the bill, there is no chance that this would affect you individually or financially.

So, in my view, which is only one person's view, but I think that you can go ahead and vote on this bill because it has no chance of you having a personal financial interest in it.

The Chair:

Because there is a difference of opinion on this legislation, I'd like to entertain a motion to recommit Bill No. 1477.

Mr. Milliones:

So moved.

Michelle Madoff seconded the motion.

WHICH MOTION PREVAILED.

Also,

Bill No. 1478

A Resolution entitled, "Resolution amending Resolution No. 65 of 1990 entitled 'Providing for an agreement or agreements with a Court Reporter or Reporters in connection with the taking of testimony at Civil Service Commission and Appeals Board hearings; and providing for the payment of the cost thereof.'"

Which was read.

Michelle Madoff:

On Bill 1478, I must abstain because the witnesses who came to be interviewed during that particular hearing who were not on the side of the Controller's Office were not paid. I'm just not going to vote for that. I just can't do it in good conscience. Some of the hearing executives were terribly upset.

Mr. Ferlo:

Mr. Chairman, in regards to Michelle's comments on 1478, the bill is to pay court reporting services for meetings that are recorded at the Personnel and Civil Service Commission as well as the Appeals Board. It has nothing to do whatsoever with the issue, which I happen to sympathize with, that Michelle pointed out ear-

lier regarding who gets paid and who doesn't get paid when they're subpoenaed before the Board. This is just to pay for the reporting services.

Michelle Madoff:

On this bill, 1478, addressing the Appeals Board, I'm sending a message. Yes, I understand that we have to pay for court stenographers and so on, but I want to send a message here on what I think was unjust and unfair and at least bring it to public attention. That's why I'm going to abstain on this bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the majority, the bill passed finally.

Also,

Bill No. 1499

A Resolution entitled, "Resolution transferring

the amount of One Hundred Thousand (\$100,000.00) Dollars from Code Account 1063, Miscellaneous Services, Index Code 106302, Department of Finance to Code Account 1501, Premium Pay, Index Code 150102, Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1598

Report of the Committee on Public Works for October 17, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1466

A Resolution entitled, "Resolution vacating McKee Avenue from vacated Katherine Street Ord. 319 of 1957 westwardly 100 feet to a point by 40 feet in the 26th Ward, 1st Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1467

A Resolution entitled, "Resolution vacating Clearview Avenue from Noblestown Road eastwardly 138.79 feet more or less to a point in the 28th Ward, 2nd Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1468

A Resolution entitled, "Resolution granting unto 930 Penn Avenue Building, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a moveable platform dock on a portion of the right-of-way of Exchange Way in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1470

A Resolution entitled, "Resolution granting unto Elvidio Grande 5301 Fifth Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, a handicapped ramp and planter box on

a portion of the sidewalk of St. James Street in the 7th Ward, 8th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1471

A Resolution entitled, "Resolution granting unto R.A. Capone, 510 South Aiken Avenue, his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense, an off-street parking area on a portion of the right-of-way of Commerce Way in the 8th Ward, 9th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1472

A Resolution entitled, "Resolution granting unto West Penn Hospital, 4815 Liberty Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning over a portion of the sidewalk of Liberty Avenue in the 8th Ward, 8th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1473

A Resolution entitled, "Resolution granting unto Anthony and Doris Warywoda, 1122 Clare Avenue, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a set of steps on a portion of the sidewalk of 46th Street in the 9th

Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1474

A Resolution entitled, "Resolution granting unto Michael Thomas, 4400 Sweetbay Street, his successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a sideyard and fence encroachment on a portion of the right-of-way of Bronze Street in the 31st Ward, 5th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1500

A Resolution entitled, "Resolution adopting Official Sewage Facilities Plan for the Iroquois Project."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1599

Report of the Committee on Planning, Housing and Development for October 17, 1990 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1307

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Section 921.02, Zoning District Map No. 12, by changing: From 'M4' Heavy Industrial District to 'C3' Commercial District all that certain property bounded by: SOUTH NINETEENTH STREET; MERRIMAN WAY; SOUTH EIGHTEENTH STREET and the MONONGAHELA RIVER, 17th Ward."

Which was read.

Also,

Bill No. 1475

A Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Homewood-Brushton Revitalization and Development Corporation, in which the Urban Redevelopment Authority of Pittsburgh will

provide financial assistance in the amount of \$100,000.00 to Homewood-Brushton Revitalization and Development Corporation for site work for residential units to be constructed in the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Fund."

Which was read.

Mr. Ferlo:

I'd like my comments brought forward on Bill 1475.

(REMARKS ON FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 1475-Wednesday 10/17/90)

Mr. Ferlo:

Director, I am obviously in favor of any new housing in this neighborhood or any others. I think I have attended approximately three neighborhood meeting in the Homewood community in the last couple years.

One continual criticism or concern that keeps being raised is how much it appears that we are doing for new construction versus what may appear -- and I don't know if it is accurate -- that we are not remodeling other structures on residential streets in Homewood. The concern being that we have a lot of stable residential homeowners on lots of streets, but that next door to many of those secure houses are abandoned houses or boarded up houses.

Can you give us any kind of report that talks specific not only about the new construction that is going on, but that can begin to talk about some of those criticisms that have been raised by advocates in the community that we are not doing enough to secure and maintain the decent housing stock that does exist in the Homewood community?

I get the feeling if we put all the money into the basket of new construction and we are not safeguarding the property owners that we do have who also live next door to a condemned building or boarded up house, it is a big problem.

Mr. Whitmer:

As you know, in Homewood there are two groups that have been doing new housing, Operation Better Block and HBRDC. We are beginning to encourage them to take on the improvements of existing homes. We do have the Housing Recovery Program which we initiated last year. It did not get off the ground as well as we anticipated, but hopefully this next year we will do a better job and the various neighborhood organizations that have been doing new housing will begin to use that funding and begin picking out individual homes that have to be revitalized.

Mr. Ferlo:

I feel like we are fighting a good battle but we are going to lose the war.

Mr. Whitmer:

I can't disagree with you. When I first came aboard, I think that was one of things we discussed quite extensively, the need to begin renovating some of these houses and spending money in that area. Secondly, we have done a lot of new construction

and our second mortgage money with the decline in CD funds is slowly -- I won't say running out, it is at a much lower level than it was in past years.

Mr. Ferlo:

Another issue I raised in the past in the budget proceedings with the URA is that for every time we build a new home in Homewood, or a high-rise, we also deplete the housing stock that is there. What frequently happens is a person, especially an elderly person, will leave a decent home in the community for the high-rise or new home, and then that home is vacant and we are not doing anything with that. Somehow we have to coordinate the housing stuff that is going on in the neighborhood. So far I don't see it happening. It seems like we are fighting a good battle but we are going to lose the war.

Mr. Whitmer:

I think it is in some cases, and unfortunately, there are some cases where it is much easier to assemble a parcel of land and build new housing because of the tax delinquencies and the deterioration of the existing housing stock. We are trying to balance that out.

Mr. Ferlo:

Have any of the three groups that do housing in the neighborhood made a commitment or are they doing any feasibility on the issue of restoring the vacant and/or condemned structures?

Mr. Whitmer:

I believe Mulu and his group are looking at some houses out there. I would have to get back to you.

Mr. Ferlo:

What is the income guideline for these new 15 single families? The other criticism that is continually raised in the community is that the new housing represents an income bracket, and I agree we need to have a higher income bracket, but people most in need of housing have not been able to get a share of new housing.

Mr. Whitmer:

I don't have that precisely. It would be based on what the first mortgage got -- well, it would be based on the purchase of

the home and the amount of the first mortgage, whether the person would have to be eligible for the first mortgage and how much we allocated for the second mortgage.

Mr. Ferlo:

Maybe since we are now approaching year end and the budget discussion regarding various URA programs, maybe some of the statistics will be made available.

Mr. Whitmer:

All this is based on the cost of the unit when it is built and how much we can subsidize the mortgage.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 1600

Report of the Committee on General Services for October 17, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1458

A Resolution entitled, "Resolution amending Resolution No. 640, effective July 5, 1990, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of a Trash Collector/Sweeper and a Gang Mower and providing for the payment thereof,' by in-

creasing the total project allocation by \$50.00 from \$30,000.00 to \$30,050.00."

Which was read.

Also,

Bill No. 1459

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program', by increasing Project 228 (Bureau of Repairs and Operating Maintenance) by \$50,000.00 from \$400,000.00 to \$450,000.00."

Which was read.

Also,

Bill No. 1460

A Resolution entitled, "Resolution amending Resolution No. 243, effective date 3-20-90, entitled, 'Providing for the letting of a contracts, or the exercise against existing contract for various repairs and renovations to the City Facilities, and providing for the payment of cost thereof,' by increasing the total project allocation by \$20,000.00 Dollars, from \$200,000.00 to \$220,000.00."

Which was read.

Also,

Bill No. 1461

A Resolution entitled, "Resolution providing for the letting of a contract or contracts, or to exercise against existing contracts, for various re-

pairs and renovations to City facilities, and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1601

Report of the Committee on Engineering and Construction for October 17, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1457

A Resolution entitled, "Resolution amending Resolution No. 278, effective March 21, 1990,

entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for Major Repairs and Emergencies including, but not limited to Philips Park Recreation Center in Council District #4; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$43,241.40 from \$85,000.00 to \$128,241.40."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I am asking my colleagues to please remain for a few minutes and not leave because we have a very serious issue before not only this Council, the Administration, but before this City. And the scapegoating for this is going to be this City Council and I

think we need to put somethings into perspective.

In 1989, July of 1989 which began long before this date, I did an audit of the Water Department. I made sure that when the new members got to Council that all members got a copy of that audit. I don't know whether everybody read it, I don't know whether everybody remembers reading it, but I would respectfully ask that you reread it. And if you don't have a copy, we have lots of extra copies to give you.

What we're seeing happening now in the public eye and what is happening to all of us again as scapegoats, is there has never been a policy. There has never been a policy in the Water Department to address the issue of what appears in our printouts showing, for example, that we had \$18 million in uncollected bills. We now have \$19 million. There still has not been a policy for removing things that don't belong in the billing system.

It has been a situation where our former director who is outstanding in working on making sure that the water was safe and the engineering end of it, and did a fine job of that, but never really addressed the issue of collection of delinquent accounts. To this day, there are still one-third of the people who are delinquent in water bills. One-third of the people who don't pay. But the little people, the people on welfare, the widows and so on, pay their bills.

There have been errors where the water bill where the responsibility is the department of the City, the Water Department has not done its job. Therefore, many of us, including starting at the Administration, people have been blamed for doing things they really didn't do.

I want to point out that somewhere along in '86 my office had done a six-month study on flat water bills and eventually something started

to happen about that but it's still not completed in 1990. If we go back in July of 1889 --

Mr. Cohen:

Michelle, you haven't been here that long.

Michelle Madoff:

Excuse me, of 1989, July 29, 1989, October 11, 1989, July 7th. I've had on-going correspondence with the Administration and with the Water Department and, as you know, tomorrow I believe there are four bills coming before this Council that different Members of Council are introducing to try to straighten out what the Water Department should have done some time ago.

My piece of legislation, which we will discuss tomorrow in detail, addresses how we can overcome the issue of people who receive water bills that are inaccurate because they have not been informed of information they should have been informed of, and how we can go about correcting some of these problems. I know Mr. Ricciardi has a bill. I believe Mr. Ferlo has a bill that's coming in tomorrow.

The point I want to make is that no one ever did an audit of the Water Department and so last July I took it upon myself to not only do the audit but present it to the Water and Sewer Authority, who agreed that it was accurate.

The Chair:

Councilwoman Madoff, since we're going to discuss this bill tomorrow, why don't we leave that dialogue until then?

Michelle Madoff:

I am planning to do that. But I want to

leave the message with the public that as head of the Water Department all these years I have been trying my hardest to do something about it. I do not want to be the person in that hot seat that says, "Well, you didn't do anything." and I know that that is the game plan of a number of people not sitting here today. There's a focus being made on that Water Department basically pointing out what we already know.

I would urge you to please go back before tomorrow, it's very brief, five or ten minutes, and read the audit. If you don't have a copy,

we'll give you another copy. Thank you.

Mr. Cohen moved to approve the Minutes of Tuesday, October 2, 1990; Tuesday, October 9, 1990; and Tuesday, October 16, 1990.

Michelle Madoff seconded the motion.

Which motion prevailed.

And on the motion of Mr. Milliones

Council adjourned.

Table 1. Mean (SD) age, height, weight, and body mass index (BMI) of the 100 children in the study

Measure	Mean (SD)
Age (years)	10.2 (0.5)
Height (cm)	147.5 (10.5)
Weight (kg)	40.5 (10.5)
BMI (kg m ⁻²)	18.7 (3.5)

Table 2. Mean (SD) age, height, weight, and body mass index (BMI) of the 100 children in the study

Measure	Mean (SD)
Age (years)	10.2 (0.5)
Height (cm)	147.5 (10.5)
Weight (kg)	40.5 (10.5)
BMI (kg m ⁻²)	18.7 (3.5)

Table 3. Mean (SD) age, height, weight, and body mass index (BMI) of the 100 children in the study

Measure	Mean (SD)
Age (years)	10.2 (0.5)
Height (cm)	147.5 (10.5)
Weight (kg)	40.5 (10.5)
BMI (kg m ⁻²)	18.7 (3.5)

Table 4. Mean (SD) age, height, weight, and body mass index (BMI) of the 100 children in the study

Measure	Mean (SD)
Age (years)	10.2 (0.5)
Height (cm)	147.5 (10.5)
Weight (kg)	40.5 (10.5)
BMI (kg m ⁻²)	18.7 (3.5)

Table 5. Mean (SD) age, height, weight, and body mass index (BMI) of the 100 children in the study

Measure	Mean (SD)
Age (years)	10.2 (0.5)
Height (cm)	147.5 (10.5)
Weight (kg)	40.5 (10.5)
BMI (kg m ⁻²)	18.7 (3.5)

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, October 30, 1990

No. 42

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, October 30, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
	(Pres't)

ABSENT: Michelle Madoff

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Coyne:

Could I have the representatives from the Iron Workers Union please come forward. John Hienlien, President; Bob Spiller, Financial Secretary; Boe Gillispie III, Pension Manager; Boe Gillispie, Jr., 50 year honoree; and Flip Hanna, Co-Banquet Chairman and retired Business Agent.

Mr. Coyne presents

No. 1642 WHEREAS, the Iron Workers Local Union No. 3 was initiated in the year 1896; and

WHEREAS, the Iron Workers Local Union No. 3 presently boasts a membership of over 2,500 persons and encompasses 11 different counties; and

WHEREAS, the members of Iron Workers Local Union No. 3 are recognized nationally and internationally as the International Association of Bridge, Structural and Ornamental Iron Workers; and

WHEREAS, the Iron Workers Local Union No. 3 is represented by Business Agents Paul Lowery and Pat McGurk, President John Heinlien and Vice President Ed Thomas; and

WHEREAS, the Members will celebrate the 26th Annual Anniversary Banquet to honor the Iron Workers who have given 25, 35 and 50

years of professional service to this field of work; and

WHEREAS, this year's Annual Banquet is being held on Saturday, November 3, 1990 at the Pittsburgh Hilton Hotel; and

WHEREAS, along with the many local members and officers who will be present at the banquet, the Ironworkers Union is honored to have three international officers present this year to host the event, namely: Leroy Worley, General Secretary; Jim Cole, General Treasurer; and William Sullivan, First Vice President.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, commends the members of the Iron Workers Local Union No. 3 who are being honored for their dedicated and extended term of service and joins the members in celebration of the 1990 Annual Anniversary Banquet.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

Members of Council, I'd like to have John Hienlien and Boe Gillispie, Jr., the 50 year honoree to please say a few words.

Mr. Hienlien:

On behalf of Iron Workers Local No. 3, its officers and its members, and the honorees being honored at our banquet this coming Saturday I want to thank the Mayor, City Council, and Michael Coyne in particular for this honor. It does me a great amount of pride to realize that Iron Workers Union No. 3 has been around, involved in all the buildings in Pittsburgh for the

last 100 years, and it is a great honor for you to recognize us. Thank you very much.

Mr. Gillispie, Jr.:

On behalf of the 50 year members I appreciate this, and I feel honored. Thank you very much.

Mr. Darkins:

Mr. Lowery would you come forth please?

Mr. Darkins presents

No. 1643 WHEREAS, on May 28, 1968 the Guardians of Greater Pittsburgh was incorporated as a non-profit organization; and

WHEREAS, the Guardians was organized for the purpose of unifying, strengthening, and promoting the welfare of black police officers and the citizens they serve; and

WHEREAS, the Guardians was one of the original black police associations that helped to organize the National Black Police Association, now existing in five regions throughout the country and boosting a membership of over 35,000.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, pays tribute to the founders of the Guardians of Greater Pittsburgh: Ramon Mundy, Earl Duncan, Herman Mitchell, Arthur Williams, Theodore Saulsbury, Leon Rhodes, Richard Edmunds, Harvey Adams, Chandler Sirmons, Walter Shaw, Robert Herndon, Melvin Howard, James Russell, Sherman Cross, John Daniels, Melvinia Daniels, Gladys Smith and Segernia Saunders.

Mr. Darkins moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Mr. Chris Lowery here today who represents the Guardians and he may have something to say.

Mr. Lowery:

As Vice President of the Guardians I'm very honored to accept this from Councilman Darkins and the rest of the members of Council, and the Mayor of the City of Pittsburgh. Thank you very much.

Mr. Ferlo:

I'd like to ask the representatives of the Blue Cross as well as the Caring Program for Children to come forward.

Mr. Ferlo presents

No. 1644 WHEREAS, the Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield Caring Program for Children serves the health care needs of children from families who cannot afford private insurance, do not have employer-provided health care benefits and who are not covered by Medicaid. The Caring Program is the nation's first private health insurance initiative for children from low-income families; and

WHEREAS, the Caring Program for Children was designed to assist the "working poor", which targets children from families with incomes below the federal poverty level (\$12,700) for a family of four) but more than the Medicaid ceiling (\$6,800) for a family of four in Pennsylvania); and

WHEREAS, through the Caring Program, children up to age 19 receive primary health care benefits including office visits, emergency care, diagnostic tests, outpatient surgery, immunizations and inoculations, routine physical examinations, and other pediatric preventive health maintenance measures; and

WHEREAS, the program is provided through the cooperation and support of Western Pennsylvania hospitals and more than 11,000 Pennsylvania Blue Shield participating physicians; and

WHEREAS, benefits are provided at no cost to enrolled children and their families. The program is supported by contributions from religious groups, businesses, foundations, civic organizations, unions and individuals; and

WHEREAS, as an expression of its commitment to the community, Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield match all contributions dollar for dollar. The cost per child has remained \$156.00 per year since the program started in 1985.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield for their efforts to provide health care needs to children whose needs were being neglected as working parents lost their jobs.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, proclaims Tuesday, October 30, 1990 as Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield Caring Program for Children Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I reserve comments about the pronouncements today from Pennsylvania Blue Shield on the over 65 Special. Today, I do think its important that we do recognize both organizations that I think are doing an excellent program, but I think needs to have more publicity. I wasn't aware until Gerri from my office informed me about this program, and I think a lot of people out there are not aware of what this program is all about, and I think there are a lot of people here in the City that could take advantage of this program.

I'd like to let you know who is here today. To my left is Paul O'Palka, Jr., who is probably no stranger to Council. We received many of his documents every other month. He's the Director of Government Relations at Blue Cross. Speaking here today representing the Caring Program for Children to my left is Charles LaVallee, he's the Director and I'd him to accept the proclamation. Thank you.

Mr. LaVallee:

I would like to thank Jim Ferlo in particular, Members of Council, and the Mayor for your recognition. Really that every day needs to be a day for children. Jim jokes about the timing but we need to make every day a priority day.

I think its critical to understand the group of people we're targeted to, which is contained in the proclamation, below poverty which is \$12,700 for a family of four, and above the medical assistance guidelines.

We estimate that in the 29 counties of Western Pennsylvania there are 42,000 eligible

children, and one mother -- all these are the working poor or the working uninsured, however you'd like to refer to them. One mother summed it up best, and I brought some material and you can read her comments for yourself. She said, "there's nothing worse then having a sick child, except having a sick child who can't get care." She also said, "the decisions we're making on a daily basis are these; we have to decide between food on the table, a roof over our head, and health care." Not health care coverage, but health care.

The Caring Program by Blue Cross and Blue Shield is a private sector initiative to respond to these needs. It provides primary health care coverage, and one of the most important parts is the dignity that it provides.

For example a parent can choose from any one of the participating physicians and when they present the Blue Cross/Blue Shield Card there's no distinction, there's no stigma, and our parents -- I estimate I get about 300 to 500 letters a year just on the dignity that these families feel through having the same card that anybody else has, and that's our principle to provide the same kind of care that you would get if you had private insurance. In the same fashion so that everyone has dignity.

You know finding the kids is no problem. One of our television stations interviewed me once, a 30 second news story and we found 1,512 children in 30 seconds. That's 50 kids a second. That's startling when you think about it.

But, how the program works is as we raise funds from the community to sponsor a child is \$13.00 a month or \$156.00 a year, and we match that. But, as we raise the funds that's obviously where the challenge is. I'd be delighted to provide all members of Council with a form by which you could sponsor a child, but really where we need your help is to get the word

out and motivate the community that we can make a difference for our children.

I spoke at the Headstart Conference this year. It was the 25th Anniversary of Headstart, and Secretary Foster summed it up best I think, "she said the world will be changed by parents who change it one child at a time." And, that's what we're trying to do is to give our parents and their children the dignity as they provide this primary health care coverage.

So, any support you can give to us in helping identify children or in raising funds I'd be delighted to work with your staff and come to any meeting you can set up, as many meetings as you set up, and we'll be putting some material in your boxes for your staff, and your review. The number is 255-8127 and its in your packet,

Finally, I'd like to tell you that this idea we created five years ago, almost six now, we have a federal grant through HHS., and the program has now been replicated through Blue Cross/Blue Shield, and 11 other locations. And, that's really exciting if you think about it, back in '85 when steel was really collapsing that we created what is now becoming a model for the nation. So, its a tribute to Pittsburgh and Western Pennsylvania. We have a long way to go, 39 states to go, but really we all have to make children our priority. So again, thank you Councilman, and for your support.

Mr. Cohen presented

No. 1607 Resolution providing for the issuance of a warrant in favor of A.H. Mathias & Company, Inc. in the amount of \$7,665.45 in payment of reproduction of records in connection with the transfer of the Saw Mill Run Interceptor Sewer to Alcosan, payable from Code Account 3-13-30-0001-89, Index Code #759332.

Which was read and referred to the Committee on Finance.

Also,

No. 1608 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pa., Dept. of Community Affairs for a grant in connection with the Baxter Playground Rehabilitation Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Coyne presented

No. 1609 Resolution providing for the transfer of funds totalling \$50,000.00 from Code Account 1132-2, Telephone Service and Equipment, to Code Account 1128, Miscellaneous Services and Code Account 1132-7, Utilities, all within the Department of General Services, for additional costs incurred for safety code compliance at Gateway View Plaza and the extension of the asphalt paving program.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Darkins presented

No. 1610 Resolution granting unto William T. Cahill Jr., 1628 Trinity Street, his successors and assigns, the privilege and license to construct, maintain, and use, at his own cost and expense, a sideyard encroachment on a portion of the right-of-way of Peggy Way and Lansing Way in the 10th Ward, 7th District of the City of Pittsburgh. This request is made by Mr. Cahill that he has maintained this area for the past 20 years and would like to construct a pool next year.

Also,

No. 1611 Resolution vacating Anniston Way between Forsythe Street and Meirsch Street, also reserving 6" water line and 15' easement in the 27th Ward, District #1 of the City of Pittsburgh. The petitioner, John A. Namisnak, 1504 Forsythe Street, Pittsburgh, PA 15212 has requested this vacation for expansion purposes.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1612 Resolution providing for the issuance of a warrant in favor of Betty Jane Kline, 4212 Davison Street, Pittsburgh, PA 15201 in the amount of \$500.00 in payment for professional consulting services rendered to Jim Ferlo, chargeable to and payable from Code Account 1001-2 Salaries, Wages and Services of Council, as needed, District #7, City Council.
---(SPONSORED BY MR. FERLO)

Also,

No. 1613 Resolution providing for the issuance of a warrant in favor of Craig Straw, 5512 Baywood Street, Apt. 3, Pittsburgh, PA 15206, in the amount of \$100.00 in payment for professional consulting services rendered to Jim Ferlo, chargeable to and payable from Code Account 1001-2 Salaries, Wages and Services of Council, as needed, District #7, City Council.
---(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Finance.

Also,

No. 1614 Resolution amending Resolution No. 798 of 1986, entitled, "Resolution providing for an Agreement or Agreements with the Hill District Citizens Development Corporation and the Urban Redevelopment Authority for the rehabilitation of a building for additional office space" so as to correct the designated organization, remove the URA, and change the purpose of the use of the funds appropriated, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1986 CDBG Program "Unspecified Local Option" (CC-86-01).

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Milliones for **Michelle Madoff** presented

No. 1615 Resolution providing for the issuance of a warrant or warrants totalling \$1,520.67 to General Electric Supply, Jack Welch, C.E.O., General Electric Company for the emergency purchase of a transformer for the #2 pump at Herron Hill Pumping Station, chargeable to and payable from Code Account 1974, Repairs, Purification & Pumping Division, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 1616 Resolution Repealing Resolution No. 1109 approved October 23, 1990, entitled: "Providing for an Agreement or Agreements with the North Side Civic Development Corporation, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning." ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 1617 Resolution providing for an Agreement or Agreements with North Side Tenants Reorganization, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1103, Misc. Services, Dept. of City Planning. ---**(SPONSORED BY MR. MILLIONES)**

Also,

No. 1618 Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Reading Center, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and

payable from Code Account 1103, Misc. Services, Dept. of City Planning. ---**(SPONSORED BY MR. MILLIONES)**

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Also,

No. 1619 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 256, Home Rule Realty Transfer Tax, Sections 256.02 (a), Levy and Rate, and 256.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act. **(Present Rate 1/2 %)**

Also,

No. 1620 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by changing the rate of tax. **(Present Rate 6 mills)**

Also,

No. 1621 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section

247.02, Tax Levy and Rate by changing the rate of tax. (Present Rate 6 mills)

Also,

No. 1622 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by changing the rate of tax. (Present Rate 25%)

Also,

No. 1623 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax, Section 241.04, Amusement Tax Computation, by changing the general rate found in Subsection (a). (Present Rate 10%)

Also,

No. 1624 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 245, Earned Income Tax, Section 245.02, Levy and Rate, by changing the rate of the tax. (Present Rate 1%)

Also,

No. 1625 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by changing the rate of tax. (Present Rate - Wholesale Vendors 1 mill)
(Present Rate - Retail Vendors 2 mills)
(Present Rate - Restaurants 2 mills)

Also,

No. 1626 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.02, Levy

and Rate, by changing the rate of tax. (Present Rate \$10.00)

Also,

No. 1627 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax, Sections 255.02(a), Levy and Rate, and 255.03, Exceptions, by changing the rate of tax and by conforming the Exceptions to amendments of the Enabling Act. (Present Rate 1%)

Also,

No. 1628 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax. (Present Rate 4 mills)

Also,

No. 1629 An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article IX, "Property Taxes", Chapter 263, "Real Property Tax", Section 263.01, "Levy and Rate on Lands and Buildings", by levying the real property tax for 1991. (Present Rate 151.5 mills on Land, 27 mills on Buildings) old
(Present Rate 184.5 mills on Land, 32 mills on Buildings)

Also,

No. 1630 Resolution providing for the issuance of a warrant in the amount of \$38,000.00 to Kimberly A. Nist, c/o H. Fred Mercer, III, Mercer, Mercer, Carlin & Scully, 1218 Frick Building, Pittsburgh, PA 15219 in full settlement of a claim for personal injury arising from an accident that occurred on April

10, 1987 at Fort Duquesne Boulevard and Liberty Avenue, Pittsburgh, PA, payable from Code Account No. 46, Judgments.

Also,

No. 1631 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Citizen's Transport, Inc. in settlement of claim for vehicle damage, due to a collision involving a City of Pittsburgh refuse truck and a vehicle owned by Citizen's Transport, Inc. at Homewood Avenue and Meade Street on January 13, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 1632 Resolution approving the Second Amendment to the sublease by and between the Public Auditorium Authority of Pittsburgh and Allegheny County and Civic Arena Corporation.

Also,

No. 1633 Resolution consenting to the use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena.

Also,

No. 1634 Resolution Repealing Resolution No. 180, Item D, approved March 6, 1990, which repealed Resolution No. 606, Item A, approved July 29, 1988, which authorized the sale of property in the 8th Ward, being a vacant lot 20' x 100', located at 4718 Juniper Street, designated as Block 26-H, Lot 67, to Thaddeus Fritz, for the sum of \$450.00. The reason for repealing Item D of Resolution No. 180 is that the Balance of Purchase Price was received after the Forfeiture proceedings were initiated. (COUNCIL DISTRICT #8)

Also,

No. 1635 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 1636 Communication from Michael Perry, City Clerk, submitting the Third Quarterly Travel Report for 1990, from various departments.

Also,

No. 1637 Communication from Thomas Flaherty, City Controller, submitting the Performance Audit of the Stadium Authority of the City of Pittsburgh, September 12, 1990, for the years ended March 31, 1985 through March 31, 1990.

Which were read, received and filed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1638

Report of the Committee on Finance for October 24, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1501

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of L&M Industries in the amount of \$11,851.10 for purchase of recycled paper to be used in developing the City's education program."

Which was read.

Also,

Bill No. 1502

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Allegheny Business Machines, Inc., in the amount of One Thousand Nine Hundred and Seven Dollars and Seventy Cents (\$1,907.70), in payment for a Canon Facsimile 230 Machine and paper."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed fi-

nally.

Also,

Bill No. 1530

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, "Fiscal", Article VII "Business Related Taxes", Chapter 241 "Amusement Tax", by repealing Section 241.06, Penalty and Interest.

Which was read.

Also,

Bill No. 1531

A Resolution entitled, "Resolution transferring the sum of \$100,000.00 from Code Account 1063 (106302) Miscellaneous Services, Department of Finance, to Code Account 30 (003004) Refunds All Other Taxes (003004)."

Which was read.

Also,

Bill No. 1532

A Resolution entitled, "Resolution authorizing the transfer of two hundred thousand (\$200,000.00) dollars from the JTPA-1 Trust Fund, Index Code 260307, to the General Fund of the City of Pittsburgh's PSC-JTPA Indirect Reimbursement Cost Account, Index Code 015362, for reimbursement of indirect costs of the Job Training Partnership Act Program for prior fiscal years."

Which was read.

Also,

Bill No. 1533

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's II-A Incentive Grant by the Job Training Partnership Act Program and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1534

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Action Supply Products, Inc., 107 Montour West Industrial Park, P.O. Box 200, Imperial, PA 15126, in the amount of \$2,750.00 in payment for the emergency purchase of Absorbents/Booms by the Bureau of Emergency Medical Services as a result of the oil spill and providing for the payment

thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1535

A Resolution entitled, "Resolution authorizing the transfer of twenty thousand dollars (\$20,000.00) from Code Account 1464, Index Code (146407), Equipment, Bureau of Fire to Code Account 1463, Index Code (146308), Supplies and Materials; also the transfer of thirty thousand (\$30,000.00) from Code Account 1464, Index Code (146407), Equipment, to Code Account 1462, Index Code (146209), Miscellaneous Services, Bureau of Fire, Department of Public Safety."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

(MR. FERLO ABSTAINED)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1536

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of E.H. Griffith, Incorporated in the amount of \$3,523.80 in payment for lawn and garden tools furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1537

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Howard

Hanna Real Estate Services, in the amount of Seven Hundred Dollars (\$700.00), in payment for the real estate appraisal of 263 McKee Place used as a Senior Citizen Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1541

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A.G. Trimble Company, 600 Clark Building, Pittsburgh, PA 15222, in the amount of \$1,272.94 for the purchase of diplomat sets of U.S. and City of Pittsburgh flags in the offices of City Council, without previous authority of law, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc. (Index Code 100115), City Council."
---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1542

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Hon Company, P.O. Box 92326, Chicago, Illinois 60075, in the amount of \$24,342.60 for the purchase of office furniture and support panel systems in the City Clerk's Office, without previous authority of law, chargeable to and payable from Code Account 1006 - Equipment, Index Code 100602, City Clerk's Office. --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1543

A Resolution entitled, "Resolution transferring the aggregate amount of \$34,200.00 from various code accounts within the Departments of City Council and City Clerk's Office. --- (SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1477

A Resolution entitled, "Resolution amending Resolution No. 886 of 1987, entitled, 'Resolution providing for an Agreement or Agreements for the hiring of counsel to assist in the representation of the City of Pittsburgh, Richard Caliguri, Eugene DePasquale, Ben Woods, Mark Pollock, Sophie Masloff, Michelle Madoff, Richard Givens, Stephen Grabowski, Jack Wagner and James O'Malley in the case of Metropolitan Pittsburgh Crusade for Voters, et al. v. City of Pittsburgh, et al., filed in the United States District Court for the Western Pennsylvania at C.A. No. 86-173, providing for the payment of the cost thereof from Code Account No. 1075, Miscellaneous Services, Department of Law, Index Code No. 107508;' so as to increase the amount authorized from \$165,000.00 to \$200,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1583

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling Two Thousand Nine Hundred and Forty-One (\$2,941.51) Dollars and Fifty-One Cents for payment, without previous authority of law, to Keystone Mailing Service, Inc., for obtaining and adding to the billing system data base Department of Water customer telephone numbers, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1584

A Resolution entitled, "Resolution transferring the sum of \$12,000.00 from Code Account 1043 (104307) Miscellaneous Services, City Information Systems, to Code Account 44-1 (004416) Unemployment Compensation Fund, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner

(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1639

Report of the Committee on Public Works for October 24, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1503

A Resolution entitled, "Resolution granting unto Pittsburgh Cultural Trust Resources, 101 Sixth Avenue, their successors and assigns, the privilege and license to construct, maintain, and use, at their own cost and expense, an electrical vault on a portion of the sidewalk of Fort Duquesne Boulevard, in the 2nd Ward, 6th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1504

A Resolution entitled, "Resolution granting unto Doctors Cichon and Sestric, 4301 Butler Street, their successors and assigns, the privilege and license to construct, maintain, and use, at their own cost and expense, a handicap ramp on a portion of the sidewalk of 43rd Street in the 9th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1505

A Resolution entitled, "Resolution granting unto Ms. Judith Albrecht, 210 E. Woodford Avenue, her successors and assigns, the privilege and license to construct, maintain, and use, at her own cost and expense, a fence on a portion of the right-of-way of a 5' way in the 29th Ward, 4th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1640

Report of the Committee on Planning, Housing

and Development for October 24, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1514

A Resolution entitled, "Resolution amending Resolution No. 707, effective August 29, 1988, entitled, 'Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the costs thereof, so as to reduce the amount encumbered from \$450,000.00 to \$412,904.00.'"

Which was read.

Also,

Bill No. 1518

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980; by Resolution Nos. 316, 797, 1201 and 1419 of 1981; by Resolution No. 416 of 1982; by Resolution Nos. 889 and 1134 of 1983; by Resolution No. 150 of 1984; by Resolution Nos. 101 and 201 of 1986; by Resolution Nos. 711 and 825 of 1988; and by Resolution No. 139 of 1990, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program,' by decreasing funds allocated to City Council and reprogramming these funds to the Department of Engineering and Construction."

Which was read.

Also,

Bill No. 1520

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution Nos. 359 and 835 of 1981, and by Resolution Nos. 417 and 830 of 1982; and by Resolution Nos. 212 and 1012 of 1983; and by Resolution No. 151 of 1984; and by Resolution No. 115 of 1988; and Resolution No. 138 of 1990, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1981 CDBG Program,' so as to decrease funds in City Council, 'Unspecified Local Option', and City Planning and reprogram these funds to the Department of Engineering and Construction." (AS AMENDED BY SUBSTITUTE)

Which was read.

Also,

Bill No. 1522

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 301, effective April 24, 1984; as amended by Resolution No. 728, effective August 21, 1984; and by Resolution No. 284, effective March 30, 1987; and by Resolution No. 548 of 1989 and Resolution No. 136 of 1990, entitled, 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Redevelopment for a grant in connection with the 1984 Community Development Block Grant Program,' so as to reprogram funds in the Department of Engineering and Construction and City Council." (AS AMENDED BY

SUBSTITUTE)

Which was read.

Also,

Bill No. 1523

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1150 of 1984 as amended by Resolution No. 635 of 1985 and by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989 and Resolution No. 135 of 1990, entitled, 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1985 Community Development Block Grant Program;' so as to reprogram funds in the Department of Engineering and Construction and City Council." (AS AMENDED BY **SUBSTITUTE)**

Which was read.

Also,

Bill No. 1524

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 234 of 1986, as amended by Resolution No. 1180 of 1986; by Resolution No. 43 of 1987, by Resolution No. 715 of 1989, and by Resolution Nos 133 and 875 of 1990, entitled, 'Providing for the filing of a Community Development statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program;' so as to reprogram funds in the Department of Engineering and Construction and City Council." (AS AMENDED BY **SUBSTITUTE)**

Which was read.

Also,

Bill No. 1525

A Resolution entitled, "Resolution amending Section 10 of Resolution No. 1181, effective December 26, 1986, as amended by Resolution No. 198, effective March 13, 1987; Resolution No. 384, effective July 27, 1987; Resolution Nos. 758 and 1065 of 1987; Resolution No. 317 of 1988; Resolution No. 328 of 1989 and Resolution No. 134 of 1990, entitled, 'Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1987 Community Development Block Grant Program', so as to reprogram funds in the Department of Engineering and Construction and City Council." (AS AMENDED BY **SUBSTITUTE)**

Which was read.

Also,

Bill No. 1526

A Resolution entitled, "Resolution amending Resolution No. 448, effective June 16, 1988 as amended by Resolution No. 627, effective August 2, 1989, and Resolution No. 1322 of 1990, entitled, 'Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program;' so as to reprogram funds in the Department of Engineering and Construction, the Department of Fire, and City Council." (AS AMENDED BY **SUBSTITUTE)**

Which was read.

Also,

Bill No. 1527

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the administration and implementation of the 'Community and Social Services Programs in Public Housing Communities' and the 'Rehabilitation and Modernization of Housing for Low and Moderate Income Persons' Program (HA-90-01) at a cost not to exceed \$1,560,000.00, chargeable to and payable from the 1990 CDBG Program - Housing Authority (HA-90-01) 'Rehabilitation and Modernization of Housing for Low and Moderate Income Persons' Project No. 4-65-01-0001-90-380-90-65, Index No. 604009."

Which was read.

Mr. Ferlo:

Mr. Chairman on Bill 1527 I just want the record to note that Director Washington from the Housing Authority did communicate regarding the \$1,560,000 of the block grants, and he has indicated that its going for major construction and repair, window replacement, roof replacement, sidewalk replacement and repair in about seven different communities.

Mr. Milliones:

Yes, I'd like to ask Mr. Ferlo a question in regard to 1527. Are any of those funds going to used for social services?

Mr. Ferlo:

Of the \$1,560,000 figure, \$50,000 was

committed during the budget process last year to go to social service agencies providing services within the public housing community, and in the past I believe Addison Terrace Learning Center, and one or two other agencies received a small grant from that figure.

Mr. Milliones:

But, they have a new social service director. Are any of those funds going to be directed to his office?

Mr. Ferlo:

At this time I really cannot answer the question. We have to direct the communication to Director Washington.

Mr. Milliones:

Thank you.

Mr. Ferlo:

I will find that answer out. My understanding is that Council's interest was to fund agencies directly in the community providing services and not necessarily the administration of the program. Is that the concern? If the concern is specifically that we fund the agencies and not pay for the overhead, I think the way the grant is worded its to provide grants to agencies providing services as opposed to paying for administrative overhead.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1528

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to undertake streetscape improvements for the Penn-Liberty Cultural District and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 7 NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1529

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to undertake streetscape improvements for the Fifth Avenue Square Area and providing for the payment of the cost thereof."

Which was read.

Mr. Ferlo:

On Bill 1529 regarding the Fifth Avenue Streetscape Proposal, Fifth Avenue Square. I'd like my comments brought forward.

(MR. FERLO'S COMMENTS ON BILL NO. 1529 FROM WED. 10/24/90 ARE INSERTED ON THE FOLLOWING PAGES)

(MR. FERLO'S COMMENTS ON BILL NO. 1529 - Wednesday, 10/24/90)

Mr. Ferlo:

I raise the same concern here. Personally, I am not proposed to vote in favor of these expenditures until I know from the Administration, and maybe they can tell us today, that the retail property owners, retail shops and/or property owners in the affected corridor are actually committed and signed on now to support the construction activities. This is the same requirement that we put on neighborhood business districts, and I am not convinced that is there yet. If it is, then I want to see it in writing.

Ms. Donahoe:

Before we can go into construction there, all of the financing would have to be worked out. Right now the financing is not in place, because the financing anticipates the participation of others, whoever those others may be.

Mr. Ferlo:

I understand there is a lot of fanfare at the press conference and unveiling at the Chamber of Commerce with the Administration, but there are a lot of ramblings on the street that there is a lot of opposition and concern that the street is going to be dug up for five years or greater, similar to the Grant Street experience, and we won't even have any retail shops left on Fifth Avenue by the time the project is done, and that the property owners are hesitant to make the commitment to supply the matching funds, in which case I don't think the project is going to go forth. Where is it actually at?

Ms. Donahoe:

We are now at the point of just doing vault surveys. There has been a contract let with UDA, Urban Design Associates, for the conceptual design work. That work is actually being managed by City Planning. There are contracts with SAI Engineers to do the vault surveys.

Mr. Ferlo:

The reason I am saying this, what is the \$600,000.00 for? Is it actually to do street scape improvements or pay consultants?

Ms. Donahoe:

Part of the 600,000 would go towards the design of Phase I, which we would not let until all of the logistics have been worked out in terms of the financing.

Mr. Ferlo:

I guess I feel I am being hooked into the same scenario as Herr's Island: A major commitment of public dollars, no light at the end of the tunnel. And in this situation, it is not clear that the retail businesses and/or property owners are going to make the commitment to put up the matching funds, in which case we would expend a lot of money and we will go nowhere.

Why can't Council be given reasonable assurance at this time? Because we have already committed lots of money. We paid for design engineers, environmental consultants, vault studies. There have been lots of bills that we approved in the last year and a half and we are still not at the point of having a formal commitment on the part of the property owners to participate in Fifth Avenue Square initiative. Am I wrong?

Ms. Donahoe:

This is no formal agreement.

Mr. Ferlo:

Why are we being led down the primrose path? Why do we continue to make all these investment dollars when it is not clear there is the participation? Is it going to be a situation where you come back in a year and the Administration will say, "We spent out this money, so now we have to use all our funds, and we are going to waive the commitment of the property owners"?

Ms. Donahoe:

I can't really answer that question. Right now at this point in time there is additional vault survey work that has to be done, it has to be done well in advance before you can even get into design. That additional vault survey work should probably be completed --

Mr. Ferlo:

I have one last question. Why are the property owners hesitant and why have they not made the commitment to participate in this initiative? Is it because they are worried

about the multi-year construction phase? What is it?

Ms. Donahoe:

I really can't answer that question.

Mr. Ferlo:

Can I ask the question to Director Downing? Director, I think you understand the concern I am raising. In the neighborhood business corridors, which many of us are struggling to repair, the Administration's line is, "We will gladly match the dollars, but there has to be the commitment from the property owners," and I want that same standard to apply with the Downtown property properties. In Fifth Avenue Square we are expending great sums of money. It is not clear to me that we yet have that commitment. Why are people hesitant?

I don't want a smoke and mirrors press conference, I want to know what is real and on the table and what is not real.

Ms. Downing:

When the Mayor announced this project in April, in addition to simply discussing the design elements of the project, there was also a request for shared financing in the improvements, and a suggestion that a business improvement district be formed in the Downtown in conjunction with this project. We have been holding conversations about the formation of a business improvement district with various property owners. We have to have certain information about the costs of the project in order to then be able to translate what it means to individual property owners, for one.

The vault information that Miss Donahoe was talking about a minute ago is an important element in making preliminary estimates on the costs. The second issue is what kind of assessment mechanism is the best to use in the Downtown area where you have buildings of varying types and varying sizes. In the neighborhood districts, those buildings tend to all be of similar size and similar width on the sidewalks, so the mechanisms in the neighborhood business district is fairly simple.

Mr. Ferlo:

Based on linear feet?

Ms. Downing:

Yes, but there is a choice. The Pennsylvania Economy League undertook a study for us to evaluate the various methods,

and concluded that the mechanism that works best is the current county assessment system.

Mr. Ferlo:

I don't care what the method is, I am only saying --

Ms. Downing:

I am saying we had to get those pieces in place in order to then have some substantive conversations with the property owners. So we are in an organizing phase, much as we have been with the neighborhood business districts, and it takes a while to explain what a business improvement district is.

Mr. Ferlo:

The difference, Director, is we have committed massive amounts of money at this level, at these preliminary stage levels, which we have never done. When East Ohio Street was done in the East Allegheny section, you know, a district was created, the neighborhood businesses had to ante up and we anted up. We didn't spend massive amounts of monies.

Ms. Downing:

We anted up first and it took two years to actually form the business improvement district, so the preliminary work, in fact, was financed by community development block grant funds before the actual district was created, and in that sense this is a similar process.

Mr. Ferlo:

How much money will we have to spend before we know that we actually have the commitments of the property owners? Are we going to have to spend \$2 million and then find out from the business owners that they don't want to participate?

Ms. Donahoe:

No. What we are doing is the conceptual design work and we are doing the vault survey work, which is both preliminary design. We will get to that point --

Ms. Donahoe:

About \$500,000.00.

Ms. Downing:

And then we are having conversations simultaneously with the property owners.

Mr. Ferlo:

I wasn't even for this project, Mr. Wagner convinced me over the last several years that this was an important project to do. Now I am just concerned about the manner in which it will be done and whether or not the property owners will actually come forward and make their commitment. What are the reasons why property owners are hesitant to make this commitment?

Ms. Downing:

We are talking about a three-part financing scheme; part city financing, part through business improvement districts, and the third part is a combination of state and federal funding. It for some reason we can't secure either of the other two pieces of financing, then we are in a discussion about a different type plan. So we are trying to work on all phases.

We just are working through a process. I don't think we have had anyone say they absolutely will not form a business improvement district. It is a new concept for the Downtown property owners.

Mr. Ferlo:

I will close by saying to me it is a question of priority. If the businesses and property owners Downtown are not going to jump on the band wagon and ante up, then I think we should commit the money to Carson Street, straighten out the the East Liberty Mall, which is still a mess and we committed massive amounts of money to, do Federal Street which is a mess, and put the money where we are going to have an impact.

Ms. Downing:

We have committed funds to Southside and East Liberty through the neighborhood business district program.

Mr. Ferlo:

We are committing funds in a half baked way. We are still not going to resolve the parking curbs issues in East Liberty.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 5 NOES 3

(VOTING NO:)

Mr. Coyne
Mr. Ferlo
Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1641

Report of the Committee on Engineering and Construction for October 24, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1490

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled,

'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by redefining funding sources." **(AS AMENDED)**

Which was read.

Also,

Bill No. 1491

A Resolution entitled, "Resolution further amending Resolution No. 1049, effective January 1, 1989, as amended, entitled, 'Resolution adopting and approving the 1989 Capital Budget and the 1989 Community Development Block Grant Program; and approving the 1989 through 1994 Capital Improvement Program,' by redefining a funding source."

Which was read.

Also,

Bill No. 1492

A Resolution entitled, "Resolution repealing Resolution No. 276, effective March 21, 1990, entitled, 'Providing for Contract or Contracts, or the use of existing Contracts, for Ballfield Relighting at Various Locations, including but not limited to Herschel Field in Council District No. 2; and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 1493

A Resolution entitled, "Resolution repealing

Resolution No. 156, effective March 22, 1989, entitled, 'Providing for a contract or contracts, or use of existing contracts, for Ballfield Relighting at Various Locations, including but not limited to Herschel Field; and providing for the payment of the cost thereof.'

Which was read.

Also,

Bill No. 1494

A Resolution entitled, "Resolution further amending Resolution No. 1013, effective October 29, 1985, as amended by Resolution No. 1036, effective December 22, 1987, entitled, 'Providing for an Agreement or Agreements and/or a Contract or Contracts, for the design and construction of Kennard Pool and Bath House; and providing for the payment of the cost thereof' by amending the title to delete the 'construction phase' and by decreasing the total project allocation by \$155,413.00 from \$175,000.00 to \$19,587.00."

Which was read.

Also,

Bill No. 1495

A Resolution entitled, "Resolution further amending Resolution No. 343, effective April 21, 1989, as amended by Resolution No. 614, effective August 3, 1989, as amended by Resolution No. 392, effective April 17, 1990, as amended by Resolution No. 913, effective August 30, 1990, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, and/or Agreement or Agreements, or use of existing Agreements, for the Renovation of Various Recreation Centers, including but not limited to Ammon and Magee; and providing for the payment of the costs thereof,'

by increasing the total project allocation by \$746,383.11 from \$1,565,000.00 to \$2,311,383.11." (AS AMENDED)

Which was read.

Mr. Cohen:

I'd like my comments brought forward on Bills 1490 through 1495.

(MR. COHEN'S COMMENTS ON BILL NO'S. 1490 - 1495 FROM WED. 10/24/90 ARE INSERTED ON THE FOLLOWING PAGES)

(MR. COHEN'S COMMENTS ON BILL NOS. 1490, 1491, 1492, 1493, 1494 and 1495 - Wednesday, October 24, 1990)

Mr. Cohen:

This is a comment, and I hope you will respect a comment rather than a question, which is what bothers me about all this is that Council authorized money for Ammon Recreation Center I think four times in the past in the last two or three years, and finally we have to go through this to actually get it done. What bothers me is it seems as though Council authorizes the funding, and it doesn't get done. It is unfortunate that it takes Dr. Milliones to make a point of it and for the Administration to go through these kinds of financial arrangements to make it happen. I just want to say that it bothers me if this is what is necessary in order to get something done.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 1496

A Resolution entitled, "Resolution amending Resolution No. 718, effective August 19, 1986, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for the Fall 1986-87 Street Tree Planting Program in Various Community Neighborhoods and Business Districts; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$1,309.00 from \$150,000.00 to \$148,691.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

Mr. President, very briefly I just want to take the opportunity with the free air waves here to thank various city departments over the week-end. Especially, this past Friday night. A very large successful community event was held in the neighborhood of Lawrenceville. It was a Halloween Parade. The first major community-wide event in over forty years in that neighborhood. The Police Department in particular, the Traffic Division did one heck of a job with a very large crowd. Over 2,000 children participated in the parade, several thousand residents participated in the parade and the march, and particularly Traffic did one heck of a job in the Police Department. But, Public Works and the Parks Department helped out a lot.

I want to thank my colleague Mr. Regan for his support with some of the prizes, and his help with some of bands at the last minute. The Mayor showed up and we thank her for her attendance.

But really, I just want to say thank you to all the volunteers, and to some of the community organizations that came together and put on one hell of an event. Thank you.

Mr. Cohen:

Thank you Mr. President. There was a serious water main break in North Oakland this morning. Many of you have heard about it. It broke at about 5:45 A.M., and it was a pretty large 20 inch break on Neville Street between Centre and Bayard. I've been in contact with the Water Department that area is in my district. Neville Street is closed right now and traffic is being detoured. Luckily, it didn't effect any of the hospitals or the schools, or churches that nearby, and at the moment the Water Department has informed me that only one apartment building is now without water, that's 409 North Neville Street. All of the others have been switched to a smaller 6 inch line. Two water

buffaloes have been set up on North Neville Street. If anybody needs more information they should call the emergency dispatcher at the Water Department. The number there is 255-2429. That dispatcher has constant with the field, but it looks like the Water Department has it under control. My understanding is that that apartment building will not have water for several hours, but they should be back on line by the end of the day.

The Chair:

Thank you for that report Mr. Cohen.

Any other items to be brought before Council?

Mr. Regan:

I'd like to congratulate my colleague Jim Ferlo for one of the super parades of all time, and I can't figure out since he's such a nice, congenial guy; why he would dress like Dracula for the pa-

rade.

Mr. Ferlo moved to approve the minutes of Tuesday, October 23, 1990.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Regan moved to excuse Michelle Madoff for absence from the meeting.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Milliones moved to adjourn this meeting and meet again Wednesday, November 7, 1990 at 10:00 A.M., and also the Standing Committee meeting for Wednesday, November 7, 1990 at 2:00 P.M.

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Wednesday, November 7, 1990

No. 43

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Wednesday, November 7, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. FERLO	MR. RICCIARDI
MICHELLE MADOFF	MR. WAGNER
	(Pres't)

ABSENT:

MR. DARKINS

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Michelle Madoff:

May I please request that George Barth, Secretary and Treasure of Open Door, Sue and Ron Barth, Joann Mikula, Mollie Sam, Beverly Ganser and Michelle Salinetro please step forward. Thank you for coming everybody.

It is with great pleasure that I offer this resolution to Council.

Michelle Madoff presents

No. 1661 WHEREAS, until October of 1985 the building at 1512 Stratmore Avenue was a run down abandoned theatre and an eyesore in the Crafton Heights community; and

WHEREAS, in an effort to meet the physical, emotional and spiritual needs of youth in the community, a group of children and adults worked together to completely renovate and restore the abandoned theatre under the direction of Dave Carver, Outreach Coordinator of the Crafton Heights Presbyterian Church; and

WHEREAS, the former eyesore of the community is now a vibrant Community Center offering programs which include a Youth Group for children in grades 6-12; Kid's Klub for children in grades K-5; Youth Hockey; Young Adult Hockey; a Community Play with children K-8; Open Recreation for all ages; Adult Volleyball; Aerobics; A 55+ Club for people 55

years of age and over and many other activities; and

WHEREAS, Open Door is funded solely by private contributions and staffed entirely by volunteers, creating a unique blend of church and community people made up of members of the Crafton Heights Presbyterian Church and residents of Crafton Heights which include: Bob Salinetto, Michelle Salinetto, Reverend Robert Vroon, George Barth, Mollie Sam, Bob Mikula, Joann Mikula, Ron Barth, Sue Barth, Reverend John Ferno, John Eberle, Fay Reynolds, Ed Cygnarowicz, Kathy Galloway, Beth Vroon, Denise Molinaro, Judy Moskovitz, Frank Pratt, Linda Schramm, Linda Padula, Don Provost, Mary Beth Barnes, Jack and Betty Manby and Doris and Bill Hyslip.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors and commends the extraordinary efforts of all the contributors and volunteers in the establishment of the Open Door to provide a safe haven for the Crafton Heights community and its children.

Michelle Madoff moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Michelle Madoff:

Wouldn't it be wonderful if every community followed in your steps? I hope that you will join City Planning in a film that they're making, and contact Jane Downing, which shows communities how to emulate people who are doing wonderful things. I think this could be something we could distribute to communities so that those that don't know how to do it would learn from you. I thank you and honor you.

Mr. Barth:

On behalf of the Open Door, it's Steering Committee, all its volunteers and Crafton Heights United Presbyterian Church, we certainly thank all of you for this proclamation.

We invite all the people in the community of the 20th and 28th wards to continue to come on down to the Open Door and take advantage of all the programs that we do have.

And we hope that Council will keep their eyes on the Open Door and continue to help us in any way possible. Thank you again very much.

Mr. Milliones presents

No. 1662 WHEREAS, the Metropolitan Baptist Church, formerly called the First Colored Church of Allegheny City, made application and was received as a Member of the Pittsburgh Baptist Association on June 2, 1850; and

WHEREAS, the Metropolitan Baptist Church consisted of 20 members, pastored by the Reverend Philip Broadwater; and

WHEREAS, the Metropolitan Baptist Church struggled to hold up the banner of Christ by purchasing two apartment buildings for the purpose of providing adequate housing for Senior Citizens and low-income families; and

WHEREAS, the Metropolitan Baptist has always been responsive to the problems which have existed within the community by providing a center for the distribution of surplus food; a benevolent fund that dispenses cash to the needy; a collection center for clothing persons in distressed areas; a Day Care Center; Head Start Program; an employment program for youth; a literacy class; as well as a Boy and

Girl Scout Troop.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges the Metropolitan Baptist Church, its congregation and the current Pastor, the Reverend Lacy F. Richardson, for 140 years of service and ministry as the oldest African-American Baptist Church in Western Pennsylvania.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I'd like to ask Phyllis Stevens to please step forward for the next resolution.

The Chair presents

No. 1663 WHEREAS, the National Legal Aid and Defender Association will hold its Sixty-Eighth Annual Conference on November 12 through 17, 1990 at the Westin William Penn in Downtown Pittsburgh; and

WHEREAS, approximately 700 public defenders, civil, legal, service workers, members of the private bar, assigned counsel, administrators and clients, will meet to discuss critical issues affecting the poor; and

WHEREAS, the formal and informal discussions among members of the various participating groups to explore more efficient and effective ways of meeting the needs of clients make this conference a truly unique event.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby welcomes all those attending the

Sixty-Eighth Annual Conference of the National Legal Aid and Defender Association and wishes all attendees a productive and pleasant stay in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

We're delighted to have Phyllis Stevens with us today. She is the Assistant Director of the Neighborhood Legal Services and we're also delighted, Phyllis, to have this conference in the City of Pittsburgh. And we know you want to say a few words about it.

Ms. Stevens:

On behalf of Neighborhood Legal Services and the National Legal Aid and Defenders Association to thank Council for this proclamation and to say that this will be a great faring for our City.

The Chair presents

No. 1664 WHEREAS, Mr. Mark Duffy is retiring after 10 years as the Assistant Football Coach at St. Catherine of Sienna Grade School; and

WHEREAS, "Mr. Duff", the name he was affectionately called by his players, helped coach the St. Catherine Cougars to 7 winning seasons in 10 years; and

WHEREAS, Mark Duffy coached many young men in grade school who went on to excel athletically in high school and college including his son, Paul, who is presently the team captain at Seton LeSalle High; and

WHEREAS, Mark and his wife, Peg, their son, Paul, and daughter, Amy, who have been recipients of MVP Awards at St. Catherine's, have been an integral part of athletics at St. Catherine School and in all probability will continue to be involved as daughter, Emily, develops into an athletic participant and potential award winner.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and commend Mr. Mark Duffy for his 10 years of service to the youth of the City of Pittsburgh and extends best wishes to him and his family for continued success in all they do.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair presents

No. 1665 WHEREAS, Mr. Richard J. "Dick" Frank is retiring after 25 years as the football coach at St. Catherine of Sienna Grade School; and

WHEREAS, during his 25 years of coaching, the St. Catherine Cougars compiled a record of 80 wins, 41 losses and 9 ties and captured 5 Sectional Championships; and

WHEREAS, Dick Frank coached many young football players, some who have gone on to play college football, including Greg Cattuso of Penn State and Fred Kerr of Southern Methodist University, some who have gone on to play professional football, including Jim Sweeney of the New York Jets and Terry O'Shea of the Pittsburgh Steelers, and Richard Ingold who went on to play arena football; and

WHEREAS, Dick Frank's immediate family, sons Tim, Tom and Todd, daughter Tammy, and granddaughter, has been supplemented over 25 years to include the hundreds of former football players that are considered family by Mr. Frank.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and commend Mr. Richard J. "Dick" Frank for his 25 years of outstanding service to the youth of the City of Pittsburgh and declares Saturday, November 3, 1990 as "Dick Frank Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Both of those resolutions were presented over the weekend. Thank you.

Mr. Cohen presented

No. 1645 Resolution providing for the issuance of a warrant in favor of Swank Associated Companies, Inc. in the amount of \$3,000.00 in payment of emergency repairs to the Pennsylvania Avenue Bridge, payable from Code Account 3-13-30-0001-90, Index Code #813808. (PRIOR APPROVAL GRANTED)

Also,

No. 1646 Resolution providing for the issuance of a warrant in favor of D & L Plumbing, Inc. in the amount of \$21,020.00 in payment of an emergency contract to re-route the sewer lines in the basement of the Union Title Building and George's Place Restaurant

out of the Grant Street sewer systems, payable from Code Account 3-13-30-0001-89, Index Code #759332, "1989 Project Fund." (PRIOR APPROVAL GRANTED)

Which were read and referred to the Committee on Finance.

Also,

No. 1647 Resolution further amending Resolution No. 326, effective April 3, 1990, as amended by Resolution No. 817, effective August 10, 1990, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Play Areas, including but not limited to 52nd Street Court, the 57th Street Court, Heldman Playground and Kennard Playground; and providing for the payment of the costs thereof," by increasing the total project allocation by \$50,000.00 from \$625,000.00 to \$675,000.00, chargeable to and payable from Code Account 3-13-72-0001-90, Index Code #814905 - \$625,000.00 and Code Account 3-13-72-0100-90, Index Code #815100 - \$50,000.00.

Which was read and referred to the Committee on Engineering and Construction.

Mr. Darkins presented

No. 1648 Resolution providing for a sewage service agreement with the Allegheny County Sanitary Authority, Collier Township and the Collier Township Municipal Authority.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 7th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this

Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1649 Resolution vacating Bridge Street across Herrs Island between the Allegheny River and the Main Channel in the 24th Ward, 1st District of the City of Pittsburgh. This request is made by the Urban Redevelopment Authority that due to the development of Herrs Island, the Bridge Street right-of-way is no longer required.

Also,

No. 1650 Resolution vacating two (2) portions of right of way; one (1) on the easterly side of Nash Street, and one (1) on the westerly side of Nash Street between Avery Street and Pressley Street in the 23rd Ward, 1st District of the City of Pittsburgh. This request is made by East Allegheny Community Council, Inc., 415 East Ohio Street, because of the limited area for parking. This vacation is required to have the necessary parking once St. Mary's Church has been renovated.

Which were read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1651 Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and McCormack, Baron & Associates, Inc. for the sale of Parcels 11 - 18, 20-22 (Part) and 23 in the 3rd Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31 and Block 2D Lots 318, and 320 - 328 in the 3rd Ward of the City of Pittsburgh

**(RESIDENTIAL DEVELOPMENT).
(COUNCIL DISTRICT #6).**

Which was read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1652 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would amend Section 220 of the Pittsburgh Home Rule Charter to provide that a Member of City Council be prohibited from serving on any Authority Board or Commission.
---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Finance.

Mr. Millones presented

No. 1653 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which was read and referred to the Committee on Finance.

Mr. Regan presented

No. 1654 Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Saber II Radio Equipment for the Bureau of Police, at a cost not to exceed \$61,445.00, chargeable to and payable from Code Account (CNPTF), Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 7th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Mr. Ricciardi presented

No. 1655 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of November, 1990. --- (SPONSORED BY MR. RICCIARDI)

Which was read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 1656

Report of the Committee on Finance for October 31, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 637

An Ordinance entitled, "An Ordinance supple-

menting the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding Chapter 197, Code of Conduct - providing public officials and employees with a code of conduct, providing for education as to the same and establishing a Pittsburgh Ethics Hearing Board to adjudicate charges as to certain provisions hereof."

---(SPONSORED BY MR. COHEN) (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff

I would respectfully like to ask that we take Bill 637 by itself, the Ethics Bill. I think there will be much discussion on it.

The Chair:

Okay, we will take that individually.

Michelle Madoff:

Basically, I think the bill is an excellent bill, overall. It's a first step. And like everything else, it can be amended down the road and I think the people who worked on it did an outstanding job.

I have just a few comments that I think are pertinent. One is very funny. As you know, I was called out of the room and I'll tell you what happened in a minute because it relates to these bills.

On Section 197.02 (d) "Family Member", I think that the sponsor, perhaps, --

Mr. Coyne:

Excuse me. Point of Clarification. Is the Councilwoman going to present these amendments individually?

Michelle Madoff:

Yes. I've submitted them. Everybody has the amendments. And what I'm going to do is just discuss each one of them. So we'll take them separately.

It would seem to me that Mr. Cohen could very easily amend -- It is really not amend, it's a correction. I think it's just wording. The language needs to be adjusted under 197.02 so that we clarify what "sibling" is.

The Chair:

Councilwoman Madoff, you are going to have to read for the Record your amendments. And then we're going to have to vote on them individually.

Michelle Madoff:

Under 197.02 Definitions. (d) "Family member" means a parent, spouse, child, brother, sister, sibling, grandparent or grandchild, in-law, cousin, aunt, uncle, niece, nephew, ex-spouse, step-parent, step-child, or the spouse of any such relative.

We're covering the whole world; nobody could work.

Section (d) needs to be broadened. The definition of "direct family" is too narrow and may be considered as weak or weaker than the definition of immediate family as defined in the State Act. Thus, there may be an argument for this section as presently stated to be stricken from Bill No. 637.

What I'm just saying is that we need to make it --

Mr. Ricciardi:

Point of Order, Mr. Chairman, if I may.
If that's a motion, don't we need a second before
we have discussion on it?

The Chair:

Yes. You're right.

We have a motion on the floor as indicated in 197.02 --

Michelle Madoff:

I was just reading and explaining why I had it and then I was going to move to accept it and then somebody could second it. That's what I was trying to do.

The Chair:

We have a further definition of "family members" as indicated in Councilwoman Madoff's proposed amendment. Is there a second to that?

Mr. Coyne seconded the motion.

Michelle Madoff:

All I'm saying is, as laws are passed in the land, we can't be any weaker than the State law, but we can be stronger. But in this case, I just want to be in compliance with State law. And I would respectfully ask, it's a minor change, that the draftee of the bill just look at it and see if the wording could be, in any way, amended. I don't think it's really a change in the law; it's just a matter of being in keeping with State law.

Mr. Ferlo:

Clarification, Mr. President. On 197.02,

is the amendment as underlined? Is that what we're voting on?

The Chair:

Yes.

Mr. Ferlo:

Thank you.

The Chair:

I would suggest, Councilwoman Madoff, that we take them individually.

Michelle Madoff:

Okay.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 3

NOES 5

VOTING NO:

Mr. Cohen
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi

And a majority of the votes of Council

being in the affirmative, the motion was defeated.

Michelle Madoff:

197.03 Conflict of Interest (a) No public official or public employee shall exert influence with respect to property or a business with which he or a family member is associated.

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 3	NOES 5
---------------	---------------

VOTING NO:

Mr. Cohen	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Mr. Milliones	

And a majority of the votes of Council being in the affirmative, the motion was defeated.

Michelle Madoff:

197.04 Use of Authority and Public Property (a) No public official or public employee shall appear for compensation on behalf of any private person other than himself or his

family member before any quasi-judicial tribunal.

I wish to include a word that was left out. It was a typo and was left out. "No public official or public employee shall appear for personal compensation --" That doesn't mean you can't go ahead and testify or go to any hearing as long as somebody isn't saying, "Here, I'll give you fifty bucks; go do it." "-- on behalf of any private person before any quasi--judicial tribunal."

The Chair:

Are you also including Section (e) in this amendment or do you want to vote on that separately?

Michelle Madoff:

I move to strike the wording "other than himself" or "direct family". It doesn't make any sense.

And to be consistent with the language of 197.02 Subsection (d) "family member" is substituted for "direct family". So the change would be "family member".

The Chair:

Point of Clarification. 197.04, you really have two proposed amendments. You're adding in one paragraph "family member" and then you are creating a new Section (e) pertaining to authorities.

Michelle Madoff:

No, we're not up to (e) yet.

The Chair:

Alright. We're still voting on what Councilwoman Madoff just indicated. Is there a

second on that amendment?

Michelle Madoff:

May I just make a comment, please?

The Chair:

No. We need a second on your amendment. Is there a second on Councilwoman Madoff's amendment adding the words "family member"?

The proposed amendment fails due to the lack of a second.

Michelle Madoff:

I'm just trying to conform with State law.

Okay, now let's get to substance here.

197.04 (e) No public official or public employee shall serve as a voting member on any Authority, Board or Commission created by the City which receives all or a portion of its revenue from the City directly or indirectly.

As everybody knows who has been here a while, this is something not new.

Mr. Ferlo:

Is there a second to this amendment which is illegal?

Michelle Madoff:

People are allowed, as you are frequently allowed, to explain why you are doing something and then people can second it.

Mr. Ferlo:

I think we should have a second for the

amendment, then we can discuss it.

The Chair:

We have an amendment proposed by Councilwoman Madoff, a new subsection within 197.04 Section (e) which reads:

"No public official or public employee shall serve as a voting member on any Authority, Board or Commission created by the City which receives all or a portion of its revenue from the City directly or indirectly."

Is there a second to that proposed amendment?

Michelle Madoff:

Mr. Chairman, Point of Order. In the past, people who have proposed something before a second have explained why they are doing it. If people don't understand why, they may not wish to second it.

Mr. Ferlo:

We understand why but it's illegal. The amendment is illegal.

Michelle Madoff:

I want to talk about that, if you will, for a moment.

Mr. Ferlo:

You submitted a bill on it.

Michelle Madoff:

Give me the same courtesy I give you when you want to talk about a bill.

Mr. Ferlo:

It's not a question of courtesy; it's a question of being sane.

Michelle Madoff:

Mr. President, as you know, today we introduced a referendum question to be placed on the ballot which, I can see from the tenor of this Council, will probably be defeated.

I understand this is not legal. I'm merely saying, in order to make this legal, this is something that should be considered. And I've already presented, and Mr. Perry read, an ordinance that will be placed before us next week that says that we will change the law through referendum so that we cannot serve on these commissions.

Mr. Cohen served, and I don't know who else served but I think Mr. Ricciardi did, on the initial commission that joined forces with the Mayor's commission and guess what they said. They said that no member of City Council or an elected official should serve on any board or commission. I am not alone on this.

Mr. Coyne:

Mr. Chairman, there is not a second on this amendment.

The Chair:

Mr. Coyne, you're right, there is not a second. But due to the sensitivity of the issue, I think we should permit a little latitude here.

Mr. Coyne:

But it's going to be coming up for discussion at the next Committee Meeting.

The Chair:

I know that but I still -- Let's throw the issue on the floor and --

Michelle Madoff:

I'm done with my point.

The Chair:

Do you have any other further discussion in regards to it?

Michelle Madoff:

No. I said what I had to say.

The Chair:

Does anyone else want to comment on it? The members who have served on the Commission?

I don't want the public to think because this is an ethics bill and it's a sensitive issue that we don't want to discuss it publicly. We do. And this issue has been discussed and if there's any further comments, I think we should put them on the Record.

Mr. Cohen:

Mr. President, this proposed amendment is illegal. I think the Councilwoman knows that it's illegal. It's illegal because the Home Rule Charter specifies a Councilmember should serve on authorities. That cannot be overruled by a statute, by a local statute. If the Councilwoman is going to introduce a bill for referendum, that's another matter. But this particular amendment here, it's not legal under the Home Rule Charter. And if we want to change it, we have to do it that way.

Michelle Madoff:

And I am doing it that way and I've stated it. I did not know at the time that we couldn't do it this way. We have since learned from the Law Department that the way to do it is through referendum. I have just stated that I am introducing a referendum. It's been introduced today, it will come up next week, because I think this is very important.

And as the President was gracious enough to state, I think there are so many things in this bill, it's gone on for so long, it's coming to a head, I still think it's a good bill even without my amendments. I'm not going to vote against the bill; I want that to be very clear. But I think we can make it better and bills can be amended as they go along.

The Chair:

If I may add, I want to comment on this. I don't know if other Councilmembers want to or not but I personally think the public is well served by having good elected officials serve on boards and commissions. I have said that repeatedly and I want to say it again on the Record.

I have served on a couple authorities; I presently serve on Alcosan, an authority that was looked upon in a very negative sense that wasn't addressing a Brighton Heights stench problem in the past, the Saw Mill Run sewage problem. Since I have been on the Board I have made sure that those issues have been brought front and center and are addressed.

We have other Councilmembers that serve on other Boards that are doing the same. Mr. Ferlo on the Housing Authority; Mr. Miliones on URA and the Crawford-Roberts Project; Mr. Regan on the Stadium Authority; Mr. Ricciardi on the Water and Sewer Authority; Mr. Coyne on the Auditorium Authority; Mr.

Cohen and I could go on and on. I really think that authorities are well represented from this Council.

And I know, Councilwoman Madoff, you have chosen not to sit on authorities and I think you are doing an injustice to the public which you serve because you keep talking about the Water and Sewer Authority and all the ills and flaws of it, and if you chose to sit on that authority, you would be a voting member to deal with those issues. You have chosen not to do that. My colleagues have chosen to do that and I think they are serving well and are some of the best members of all these respective authorities.

Michelle Madoff:

May I continue? In response, unfortunately, I had prepared what I was going to say but everybody is afraid I'm going to say something they don't want to hear and I'm being cut off before I have the chance, as Mr. Ferlo frequently does when he says, "May I explain why I'm doing this?" and we wait and then we second the motion.

What I had said very clearly, if you'd give me a moment and, as you know, you all had copies, it says that Council to serve as a non-voting, ex-officio member until the time that we have the referendum passed.

If you're that interested, if you cannot stay abreast of what is happening as I do in the Water Department to the point where I actually went in and did an audit last July because I stay on top of it every day practically, and may of the others -- The Housing Authority, for 10 years I knew what was going there. I didn't need Mr. Lucchino to come and tell us what was happening there. I came to Council every day, every week, and told you what was happening, and nothing happened.

The point is, if you want to have somebody there, if you care about it, we can appoint people to be ex-officios, but they should not have voting power because when you have a voting power and somebody comes down and applies for a job, and I've talked to the people who drafted this legislation, the Mayor's commission people and they agreed and they told me why they came to this conclusion, that if you're a voting member of the Commission and somebody applies for a job, it is very difficult not to give preference to the person who uses your name as a reference if you're a voting member.

It is wrong and I think that it is unfair, and I don't think you meant to be unfair because I think you do do an outstanding job in what you've done because I worked for 20 years on Saw Mill Run and on Alcosan stench, and nothing happened.

But I think as an ex-officio member you could have done exactly the same thing and that's what I'm doing in the Water Department, changing the whole process. And the Administration, I'm working with them, to change how it should happen, what's going on, and I'm being very effective, and I don't have a vote.

The Chair:

And it's a shame that you don't.

Michelle Madoff:

I don't need a vote to be effective. That's my point.

The Chair:

I don't want to get into an argument here, Councilwoman Madoff, but you know how strongly I feel on this issue.

Michelle Madoff:

And I respect your feelings. I hope you respect mine.

The Chair:

I know you served on the Leasing Authority--

Michelle Madoff:

And I dropped off. It was an appointment for six months and it was something that I couldn't live with. It was the wrong thing to do.

The Chair:

Obviously.

Mr. Ricclard:

Mr. Chairman, at this time I'm not going to debate the value of serving on the board but there is something I'd like to respond to for the general public since Michelle brought the issue up.

I have served for six months on the Pittsburgh Water and Sewer Authority and not once in those six months has anyone approached me for a job either in the Water Department or with the Pittsburgh Water and Sewer Authority.

So, sometimes, Michelle, you have to be very careful because when you make a blanket statement, it appears that we're telling the public that people are approaching us for positions because we serve in an influential matter. No one in six months has ever approached me for a job with the Pittsburgh Water and Sewer Authority and I think I've been of value to that board and I think the recent articles show that.

The Chair:

I agree.

Michelle Madoff:

I think that requires a response. If I owe an apology, if the impression was that I thought anybody was doing that on Council, I do not. I do not think that any member serving on a board is doing that. Absolutely not. I think this is the best Council we've ever had. But you need only to take the list of names which are published every year, the public is listening, and look down the list of the names of the employees, and it becomes very interesting to see how many political names are duplicated on those lists.

So, you know that I am not just blowing smoke. I know what I'm talking about.

And they don't come to you and ask you for the job; they go in and say, "I'm applying for the job. My name happens to be Sue Madoff." And they didn't come to me. Or, "Mrs. Madoff gave me a reference." Or, "I know her; isn't she wonderful? And I'd just like to apply for that job." And maybe, maybe not, there's a certain amount of weight given if you come in and use somebody's name.

I think it's the wrong thing to do and if you feel as strongly as you do that you want to be part of those boards and commissions and exert the influence like you did on Alcosan, Alcostench as we used to refer to it, and Saw Mill Run, be an ex-officio member. Be appointed and without a vote. You'll be heard. You can speak.

The Chair:

Roll call on 194.04, Subsection (e).

Mr. Coyne:

Mr. Chairman, there was no second.

The Chair:

You're right. Thank you.

Michelle Madoff:

197.05. I'm going to hold off on this one because I think that this is strictly a matter of language and I'd like to discuss it with Mr. Cohen privately.

The Offering or Accepting of Gifts, I'm letting that go.

I have one, one was distributed separately. I want to get to 197.11. ♥

Mr. Ferlo seconded the motion.

Michelle Madoff:

I'd like to tell you what it says, if I may.

Mr. Cohen:

Councilwoman Madoff, if I may ask a question. You have before us an amendment on complimentary travel. Are you going to go ahead with that?

Michelle Madoff:

No, I'm holding that.

Mr. Cohen:

I support that amendment so I would actually urge you to go forward with it, but that's your choice.

Michelle Madoff:

I'm just getting so tired of getting beaten that it gets, you know. --

197.07 Offering or Accepting Gifts and Favors. I'll go ahead with it.

(e) becomes (d).

(f) becomes (e).

Mr. Coyne seconded the motion.

The Chair:

Which one? Councilwoman Madoff, please, if you're going to make an amendment, indicate which one.

Michelle Madoff:

Mr. Chairman, 197.07 addresses the issue of who pays for trips. If it's important enough to go on a trip, if the Mayor is invited to go to Vienna or Russia, we in the City of Pittsburgh should pay her bill. If Councilmembers want to go out and see whether there's a fourth generation or fifth generation way of recycling or whatever and can help the City and learn about something, they get paid.

I don't think we should rely on gifts from outside sources. We would be happy to pay and encourage the leadership of this City to go on these trips. This is in no way saying don't go.

I would suggest that we amend it to say, "If travel is for official purposes, it should be paid for by the City, not by a private party that may have some influence. If it is essential or important for the Mayor and/or other elected officials to travel elsewhere on behalf of the City, there are already City funds available for that purpose."

The Chair:

So there is a second to that amendment?

Mr. Coyne:

Yes, sir.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Michelle Madoff
Mr. Ricciardi

AYES 4

NOES 4

VOTING NO:

Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

Mr. President, the most important issue was distributed --

I apologize, everybody, and I'm asking for a little leeway. I wasn't here, as you know, last week.

I was shocked to find out that in the State Code, I believe, somebody may help me with this. We're reading 197.11.

"If the preliminary inquired by City Solicitor and further investigation by the independent investigation" --

Let me tell you what I'm concerned about instead of reading this because it's in legalese. The one part I marked off --

"No investigation may be commenced until the person who is subject of the investigation has been notified and provided a general statement of the alleged violation or violations by City provision."

I don't have a problem with that as long as they don't tell you who is the person. I understand they are saying, "Tell me who is accusing me." Can you imagine if that were the case? When I lived through three years of hell --

Mr. Coyne seconded the motion.

Michelle Madoff:

Do you know that I have just been given my second subpoena today in the Ben Woods case. It hasn't died. I have been threatened. I would have preferred in many ways to never have been known as the person who turned this information over to the FBI. Why did I do it? I had no choice. Would any of you sitting here tell me that if somebody called you up and played the tapes for you that you would not have turned them in? What am I supposed to do? Live in fear because my name is mentioned? The FBI wasn't going to mention my name. I'm a third party.

Mr. Cohen:

Mr. President, on this amendment, it

wasn't part of the original package; I introduced it last week in compliance with a Councilperson's wishes about the need to be able to face your accuser, and I asked the City Solicitor about that.

In retrospect, after talking to Councilwoman Madoff, I think she has a good point on this and I do think that it could be a chilling affect on the filing of complaints.

So, I'm going to support this and I think that in the long run it probably is worse to have it than to not have it. So, I think that it should be stricken and the identity of the claimant would be known after the investigation but not before the investigation. So, I think she has a good point on this.

Mr. Ferlo:

I support this amendment because I think it's in keeping with the whistle-blower type of anonymity that's outlined in the State Ethics Legislation.

Mr. Milliones:

I simply disagree. I think everyone has a right, even though we're politician-bashing here today, I think politicians still have the rights that everyone should be aware of who their accusers are. Period.

Michelle Madoff:

Mr. President, I am not politician-bashing.

Mr. Milliones:

It sounds like it to me.

Michelle Madoff:

Well I'm not. As a matter of fact, I think I took great pains to congratulate the people who took the time to do this bill because Lord knows I tried for years, Mr. Pollock tried for years, and other people tried for years, and this is a great first step forward.

But I've had some concerns over the years and we've had a perfect example of what happens, and let me give you a for instance.

Let's assume that somebody working in the Finance Department -- Let's say somebody working in the Water Department. Since it's mine, I'll take the onus. Somebody comes in and pays bills in cash. This is not possible, there's receipts. But the money is pocketed, the receipts aren't made, and someone finds out working in that department that this has happened. They take the evidence, they give it to the department head, which is the way you do it. You go to the Administration, you go to the department head, and the Administration then moves.

Why should they have to name the person if the evidence is there? Why do you have to name me if there's a tape? I think you go on the evidence, not on the person who makes the accusation.

You can't live in fear all your life. Can you imagine anybody ever blowing the whistle on anybody if they know that before an investigation has taken place that they will be confronted with the person who they caught the goods on? Can you imagine anybody ever turning anybody in again ever? On anything?

The Chair:

Yes, I can.

Mr. Cohen:

Call the question.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Ferlo
Michelle Madoff

AYES 4

NOES 4

VOTING NO:

Mr. Milliones
Mr. Regan

Mr. Ricciardi
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

I'm going to ask the Administration, please, Mr. Perry, in a letter, to issue an executive order and hope that through executive order we may be able to perhaps prevail upon Council to change this. I think this is a terrible thing that we do.

Mr. Ferlo:

Mr. President, on Bill 637, I'd like to make the following amendment:

196.03 and 197.08 You have it in writing before you dealing with Consultant Disclosure.

Mr. Coyne seconded the motion.

Mr. Ferlo:

I won't speak at length about this. It basically deals with an important new area involving municipal government and that is the hiring of consultants by the City government. This basically attempts to deal with four specific areas, the value of the contract, what the qualifications are of the supposed or real consultant that is doing the work for City government, who the principles are, some of which are sometimes listed in bills before Council, but this clarifies and stipulates exactly what type of principles we are talking about.

And fourthly, trying to outline to Council the previous relationship that this consultant may or may not have had with City government. It's public disclosure. I think it would be helpful in our dealings in City government, especially as Councilmembers who vote ahead of time on a myriad of consultant contracts which have been mushrooming over the years. In the last decade, millions of dollars have now been executed on the consultant contracts and I referred to it last week as the newest form of political patronage. Maybe that's being a little harsh, but I do think in the interest of public disclosure, I think it's important to add this to the amendment.

Michelle Madoff:

In essence, I think we already have this. Does everybody recall the numerous times, and certainly Mike Perry recalls, and I say, "Mike, you forgot to put on who the principle is. What is the name of the contractor?"

This is something Council voted on previously. Years ago. We voted on it two or three times that any time legislation comes before us, it doesn't say, "The Acme Company"; it says who the principles are. If it's an architect, we know their name. If it's somebody doing consulting on refuse, we know their names. And if it is incumbent upon a colleague to say, or if they want to know, they either do their own homework or ask Mike Perry to please just look over the bills, have your own staff, and keep a record of how many times somebody's name comes up.

I'll tell you a charming story. I went to New Orleans one time and we said, "Let's avoid all the tourist traps." And we had lousy meals. We went to the tourist traps and they were good. That's why they're tourist traps. People go to them because they're good.

Because somebody gets a contract many, many times over, and I can think of one person in the Water Department who saved the City's proverbial over and over again, they get it because they're good and there's nobody else around as good as they are. So, I don't think you want to punish somebody because they're good and they get the work.

So, I think it's already covered under the legislation and Mike Perry just has to be very, well, get a cat-o-nine tails and send back any bill he gets that doesn't give him the principles. Right, Mike? If they don't tell you, your crystal ball still isn't working.

Mr. Ferlo:

Mr. Chairman, in response. I wish my colleague would spend less time vacationing and more time at the Committee Meetings understanding what the issue is.

Everything that I just spelled out in this amendment, none of which is included in the

bills that come before Council, I'm asking for additional and new information. We're asking for a description of the contract and we're asking for the consultant's qualifications. We're asking for who the principles are including the names of the officers and major stockholders. That information is not available today. And we're also asking for an update on previous relationships that the consultant might have had with the City. None of that is included to date.

Mr. Regan:

I take exception to that remark because the Councilwoman was on vacation. You know, she has been sick, she just got out of the hospital and had many problems. I just don't think that was fair.

Michelle Madoff:

Mr. Ferlo doesn't think fair is fair. Thank you, Mr. Regan.

On the amendment, I believe that the information is indeed available through the legislative proposition and I don't think we need it again.

Mr. Milliones:

You just said that.

Michelle Madoff:

I'm just upset.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne

Mr. Ferlo

AYES 2

NOES 6

VOTING NO:

Mr. Cohen

Mr. Regan

Michelle Madoff

Mr. Ricciardi

Mr. Milliones

Mr. Wagner

(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Mr. Ferlo:

I'd like my comments to be brought forward from last week.

Mr. Cohen:

I'd like my comments brought forward from last Wednesday, please.

The Chair:

I also would like my remarks brought forward.

(REMARKS ON FOLLOWING PAGES)

BEGINNING - MESSRS. COHEN, FERLO AND WAGNER'S COMENTS ON BILL
NO. 637, WEDNESDAY, OCTOBER 31, 1990)

Mr. Cohen:

Mr. President, I'd like to move for approval of this bill
and for discussion, please.

Mr. Ricciardi:

Second.

Which motion prevailed.

Mr. Cohen:

This ethics bill that all of you have seen is a product of
a conference committee that is composed of the following people:
Joe Sabino Mistick, the Mayor's Executive Secretary, Councilman
Gene Ricciardi, the Chairperson of this Council's Ethics
Subcommittee, Bob Cindrich, the former U.S. Attorney and head of
the Mayor's Ethics Commission, Mary Conturo, the City Solicitor
and myself.

Many hours were devoted to drafting this bill and although
it's not perfect it is an ethics bill that is both forceful and
fair.

As you know, it contains prohibitions against conflicts of
financial interest, against abusive public authority, against
the exercise of undo influence for a year after leaving
government. It has prohibitions against employment of direct
relatives on the city payroll and also creates an ethics hearing
board which has the power to undertake investigations to conduct
hearings and to issue penalties.

Again, this is not a perfect bill but I think it's an
important first step toward building confidence in city
government and I would encourage all of my colleagues to vote
for it.

I would like to propose some amendments to this bill.
Councilman Ricciardi and I visited each of you over the last
several days and have discussed this bill with you and several
of you had suggestions for amendments, the amendments I think
are going to be circulated now and as soon as you get them, I'd
like to go through them with you.

The first and I guess what -- subject to the Chair's
discretion, I don't know whether we should go through these as a
whole or individually.

The first amendment is to Section 197.04 which is the section on use of authority and public property.

Subsection C of that section currently reads, "No public official or city employee shall use or permit the use of his official title, insignia or position in connection with any private business."

There was some discussion of that and a couple of you pointed out that this would have an affect on a situation where a Councilmember and a company would co-sponsor an event and I think that there are several of those that have occurred at parades where, for example, a Halloween parade where a Councilmember and a local company work together to try to bring a community event.

So the amendment that is suggested here is after the word "business" state, "from which the public official or city employee receives compensation." That is the real harm that we're trying to prevent here is that no public official or city employee use his position or his title in connection with any business from which that person receives compensation, so that's a suggested amendment there.

On the next section which is 197.05, there is a waiver provision that the Board has. That section is on nepotism, on the employment of relatives which says that you cannot hire or appoint or advance the hiring of, or appointing of a member of your direct family to a position that is under the control of the City.

There is a waiver provision that says that it may be waived by the Board upon the Board's finding that the City would suffer a hardship as a result of this provision.

In order to make that waiver more specific and to make sure we really get at the heart of the problem because the heart of the potential problem there is that we don't want people to be hired who aren't qualified, and in city government it is important that we have the most qualified people be hired, so there is a suggested amendment here saying that the Board should take into account such factors as the person's experience, qualifications and the responsibility of the position when determining whether or not to provide a waiver in specific instances.

Under the Ethics Hearing Board there's one minor amendment that the Board may adopt rules and regulations to further interpret this chapter. That is really just giving the Board the authority to define terms that may not be as clearly defined as we would like and down the road I think we'll find that there are some aspects of this bill which are not clear in particular

instances and if that is the case, then the board should be given the authority to interpret the chapter.

On Subsection E there are two suggested changes. The first is that any revenues that would be used by this board should be allowed to occur through annual appropriation.

Now again the board members are not salaried members, they would be volunteers, but of course, there are some costs that would be associated with investigations. So the word "annual" is a suggested amendment there so that City Council does appropriate money on an investigation by investigation basis that it be an annual appropriation and that will take politics out of the appropriations part.

The other section is that the Board itself will elect a Chairperson rather than the Mayor.

The last few are quite technical. The first one is simply a typographical change that there was a typo in the original bill on 197.09 where it used to say the City provisions reviewed as an explanation", it should say "the City provisions are viewed as an explanation".

The 197.11 adds the words, "and the identity of the claimant" basically saying that we should have the ability to -- that any subject that is investigated should know who their accuser is, that's basic constitutional law and that was a suggestion which was a good one.

Finally, the severability section I'm told by the City Solicitor that that is not necessary and that there is general severability in all laws on the books.

The severability section just says that if any portion of the bill is found for some reason to violate the Constitution or Home Rule Charter, then that portion would be severed from the rest of the bill. I have no reason to believe that would happen in this case but that is a safeguard provision that is very common in this kind of bill.

So those are the amendments that have been drawn up after discussion with every one of you and I would urge that these amendments be passed so as to come up with a package that will send a clear message to the people of Pittsburgh that we are taking a step to build confidence in city government. Thank you.

The Chair:

Further discussion on the bill itself.

Mr. Ferlo:

I'd like to make a motion on two other amendments to this bill and I'll do them separately in case there's opposition to any one of them. The first amendment, and you have it before you, clarifies Section 197.04 to deal specifically with explaining, and I am particularly concerned with the role of Councilmembers as elected officials.

The motion here is that Councilmembers would be prohibited from appearing before the Planning Commission or the Board of Adjustment or other quasi-judicial tribunals or forums. I have a major problem with that. First of all, in the last three years that I have been in City Hall, on behalf of individuals and organizations in the community, one-half of my week is spent making an argument or a case before the Board of Adjustment on zoning matters, on conditional use applications, special exception cases. I have appeared before the Planning Commission, I have appeared before SPRPC, I have appeared in legal matters before the Public Utility Commission on behalf of individuals who could stop it from rate increases. I've been before the State Insurance Commission, PennDOT, the Board of Licensure in the State and the Medicinal Assistance Advisory Commission, those are just a few.

Without this motion in here, I think the way to amend this is to put the words -- and my amendment is that we add "for compensation" to this clause. Meaning clearly that I shouldn't be there for compensation representing an individual person's interest, but when it's for an individual and the issues that I've just outlined, I think it clarifies and maintains the concern here which is ethical behavior on the part of elected officials.

So I'd like to make a motion to amend that section by adding the words "for compensation".

Mr. Coyne:

Second.

Mr. Wagner:

Discussion. I thought we just voted for that.

Mr. Cohen:

No.

The Chair:

That was not part of Mr. Cohen's.

Mr. Wagner:

The one I have in front of me has that. This is another revision?

Mr. Cohen:

That's Councilman Ferlo's amendment.

Mr. Ferlo:

The final amendments that Mr. Cohen just presented do not include that.

Mr. Wagner:

On Mr. Ferlo's amendment I think it's very appropriate and as long as we as elected officials represent people that work for city government are appearing in a public forum as Mr. Ferlo is suggesting, we are acting in the best interests of our constituents and the people of this city and certainly that's what they want us to do or they would have not elected us and so consequently I think it's appropriate that as long as it is in a public forum and as long as there's public record to that testimony, as long as we're not receiving any compensation as a result of it, it is the appropriate thing to do.

Mr. Ferlo:

Mr. Chairman, the second amendment deals with adding into the Ethics Code that we hopefully are about to adopt, a section that deals explicitly with consultants, be they professional service consultants or other third party contractors and professional service consultants and others who more and more it seems have often accused Council and the Administration of having "consultantitis" but we see more and more in the operation of city government and its authorities of the involvement of consultants and I think we need to make this ethics code more meaningful by dealing with or clarifying financial relationships that consultants may or may not have with public officials and/or public employees. So this section is drafted from some of the language in the state act, from some of the language that was first outlined in Mr. Cohen's original bill and some other changes that my staff and I have made.

I have often said that the newest form of political patronage in City Hall, and this is not in any way an accusation of this Administration or any in the past, but very clearly the newest form of political patronage is paid professional consultants and I think it's important that we pass a bill that is going to mean something. Most of this bill so far is redundant from state legislation. I'm all for it because the one thing that the bill does do, and I think it's a landmark, is

something that the Home Rule Charter didn't do and that is establish a ministerial process by which individuals can file complaints to a local ethics board, so I'm all for it. But if we're going to case in concrete an ethics bill, let's make it be a little bit more meaningful and let's do it now while there's public attention and public concern and political concern for passage of this legislation, so I'd like to make the motion to amend, and you have the amendment before you, the sections on explaining the term "consultant" and amending 197.08 on financial disclosure.

Mr. Coyne:

Second.

The Chair:

What is the actual disclosure?

Mr. Ferlo:

The disclosure would be that if somebody is involved in a contractual relationship as a consultant with the City of Pittsburgh, that they would indicate exactly as written here and I'll just read it.

"A city employee means any individual employed by the City or is responsible for taking or recommending official action or a non-ministerial nature with regard to ...", and this is in reference to Mary Conturo's memo to us, "but where the information deals with the contracting or procurement, this is where individuals are involved in doling out millions of dollars a year, administering or monitoring grants or subsidies, planning and zoning, inspecting, licensing, regulating or auditing any person in any other activity where the official action has an economic impact, etc."

Mr. Cohen:

Mr. Chairman, this is difficult for me because much of this language looks familiar; it was in my original bill and that is the one that I introduced in April and spent hours in drafting.

Mr. Regan:

Mr. Ricciardi talked to me about it in January.

Mr. Cohen:

You know, I have just about had it with this business on Cohen versus Ricciardi. Let me just say this --

Mr. Regan:

-- no, it's Regan versus Cohen.

Mr. Cohen:

Let me say this which is that I drafted the original bill, have spent hours doing it and that's what got this thing off the table.

Now this section is one that was contained in the original bill and one that I support but I would urge my colleagues not to support it at this time and the reason is that when you put together a package like this and bring all parties into the system in putting it together, you have come up with a package that everybody can support. This was not part of the package that everyone could support.

I would like to see it because I think it's a necessary component but again, this ethics bill is a first step and as a first step it's not the final step but one that I think is a strong one and the Conference Committee made up of Councilman Ricciardi and myself and Mr. Mistic and Ms. Conturo and Mr. Cindrich, came up with a package that did not include this provision and my agreement with them was that I'd go with the package so I'm going to do that.

Mr. Ferlo:

In response, I appreciate the hard work that Mr. Cohen and Mr. Ricciardi did but I didn't delegate to them any authority or prerogative that I have as an elected official to finally vote on legislation. A legislation which keeps getting changed and molded here even at this table.

Secondly, for the very reasons that Mr. Cohen just outlined, I think it's important that we support this bill because we have a preliminary vote here on this legislation and it's my ability as an elected Councilmember and hopefully anybody else here at this table who wants to make an amendment can in a committee session offer an amendment and have decision on preliminary vote. We still have a bill that is not being finally approved today. If the Administration raises a concern, they know how to come to the other side of the aisle between now and Tuesday if they don't support this section or if there's other things that they want to express pro or con on any aspect of this bill, but this bill is continually being molded and I appreciate this notion of a conference committee but I want to see a bill that's going to mean something and for a bill that really addresses something that's been a concern to me for the last several years and that's the area of relationships with all these professional consultants that have come on board in the last few years in city government and I think if we're going to

pass a bill, let's really deal with public disclosure. If my financial life is an open book with the ethics forum and the directors' forms that are filled out, I would also extend that information data base to the consultants that we do business with. And we are going to set this in concrete so let's make sure it's something sturdy.

Mr. Cohen:

I'm sure the City Solicitor is here if you want to ask questions of the Administration.

Mr. Ferlo:

I don't need the City Solicitor to determine public policy for me.

Mr. Wagner:

There's some healthy dialogue on this proposed amendment and I would like to ask the City Solicitor to please step forward and to give her opinion and the thought process that went into this not being part of the final draft and Mr. Chairman, just prior to her answering that, I want to commend her for all her hours of work in the development of this piece of legislation which I know is very difficult. Mary, I don't know how many hours you have involved here, but I'm sure if it's not hundreds it may be thousands and obviously it's a very difficult task to come up with a piece of legislation that meets the desires of everyone, meaning Council and meaning people from the private sector that were involved in the Commission and ultimately this Council.

Mr. Ferlo:

Are you asking the Solicitor for a legal opinion or a political opinion?

Mr. Wagner:

I am asking the Solicitor for a logical opinion.

Mr. Ferlo:

Thank you.

Mr. Wagner:

I know that she is the only other member here from the Commission and I would like to know the thought process that went into this not being part of the final draft.

Ms. Conturo:

It was discussed by the Committee. I think the conclusion was that it was a matter that was better handled -- there's a review process for professional services contracts and that probably is the review process that should consider this kind of information.

It was thought that the mechanical implementation of checking -- I assume that you're referring to political contributions and you are asking for an annual reporting at the end of the year following the contract. That was some of the language that we were looking at.

Mr. Ferlo:

This just identifies the principals of the corporations and broadens who should fill out the forms. We have excluded Building Inspectors and other code enforcement officers. It doesn't deal with what you just said.

Ms. Conturo:

I haven't reviewed with what you're looking at.

Mr. Ricciardi:

If I can go over the review process that we do now.

Ms. Conturo:

Right now when a professional services contract is to be let, the department is asking for the contract, does an informal bidding process, fills out a form and submits it to a committee which consists of the Solicitor, Jim Simms and someone from the Mayor's Budget Office. The form that is submitted includes information such as what prior work the firm has done for the City to review whether we have had problems with them in the past as well as MBE requirements and some other things like that.

It was thought that this kind of information would be submitted on that type of form rather than include it in the ethics legislation.

Mr. Ricciardi:

And that information, that is public?

Mr. Conturo:

Yes.

Mr. Wagner:

So in other words Director, it was the final recommendation of the Commission that this not be part of the final draft.

Ms. Conturo:

Yes.

Mr. Wagner:

Was that a unanimous opinion within the five members of the Commission?

Ms. Conturo:

I believe it was.

Mr. Wagner:

Thank you.

The Chair:

More questions?

Mr. Cohen:

I think there are a couple of provisions of this amendment. One of them is Provision B that says certain city employees should file financial disclosure statements and it talks about those who administer and monitor grants and subsidies, inspect licenses, etc.

The State Act, Section 404 of the State Act says that each public official and public employee shall file a statement of financial interest for the preceding calendar year with the department agency, body or bureau in which he or she is employed.

Do you regard that state ethics disclosure requirement to cover all city employees including those who are involved in inspecting and licensing and regulating?

Ms. Conturo:

The filing requirements that is in the State Act applies to public employees which is the subset of all city employees.

Mr. Cohen:

Okay. I think with that section what we have really is a problem of implementation of the State Act rather than a problem

of it not being on the books. I would agree with Councilman Ferlo that the State Act covers these very people that we have under the disclosure part of his amendment and what I'd like you to do is go back and look at the State Act and how it has been interpreted and I think that under the State Act as it reads now, it does cover these very employees. So if you could provide us with a legal opinion on that.

Mr. Ferlo:

The Solicitor has already issued a letter to Council regarding this issue which she says they are not included and the reason why I'm not interested in watering down the bill since we're going to give it final approval is to explicitly state the categories and types of city employees and public employees that will have to supply this information.

This is a legal matter, this is a matter of public policy. We're not debating law here in terms of Council's prerogative or the Administration's prerogative or whether we can do this or not do this. This is a question of whether or not it's good public policy and whether or not it strengthens this ethics bill. So I hope we're not arguing the legalities here but it's a matter of public policy. And as far as this committee, this committee is about as effective in public as the MBE Review Committee which is a BS committee and if anybody doesn't know that then we can spend some time talking about it.

Mr. Cohen:

On this particular part this actually is a legal question and I'd like you to reconsider the opinion that you made in the past. It is a legal question of whether or not the State Act applies to these employees. My view is that the State Act does and I'd like you to reconsider your opinion.

Ms. Conturo:

I'll go back and take another look at it.

Mr. Cohen:

Finally, on the question of whether this bill is redundant, this bill is not redundant with the State Act. The Committee tried very hard and succeeded in making sure that this ordinance fills in holes and goes farther than the State Act currently does. There isn't anything in here which is redundant with the State Act.

The Chair:

Thank you, Ms. Conturo for your work on the bill.

Mr. Ferlo:

The amendments deal with consultants, their qualifications, the contractual relationship with the City and who the principals are. Things that we have asked repeatedly at the table.

Mr. Wagner:

Mr. Chairman and Members of Council, just a brief comment. This issue has been in front of Council for a year and one-half and there is a tremendous difference in the way the issue was presented this time versus previous times and being here through all of that, I really want to commend all of the parties involved, starting with the Mayor and the Commission she appointed, my two colleagues on Council, numerous representatives of the public that have had tremendous input to this bill and is any bill perfect, no I don't think so, but I know in the past there has been tremendous confusion as to what laws, rules, codes that we in government and meaning people that worked for the City fall under. Well, one of the real attractive items of this bill is the manual or the Code of Ethics Manual that is being put together or has been put together that includes a comprehensive gathering of the State Ethics Code provisions, the City Charter provisions, the City Code provisions and a few other items that consolidates for once all of the provisions by which we in government must live under. So that part of the bill I think is very attractive and helps for all of us to be better educated on the issue of ethics but simply in summary, I commend everyone that has been involved.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOGRAPHIC REPORTER

Michelle Madoff:

On the bill in general. I repeat for the benefit of my colleagues, I did not intend this to be bashing of any sort. I think in essence this is the first step and it's a memorable step. It's a historic step that we're taking some action to finally reflect with the public how we feel about having a Code of Ethics.

I think as time goes along I think there will be proof, evidence, that some of the issues that I've raised today and that others have raised perhaps that have not even been brought forward yet, will require or suggest that the bill be amended. But bills can be amended at any time and I do want to congratulate the people who worked on the bill.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1565

A Resolution entitled, "Resolution transferring Three Hundred Sixth Three Thousand Dollars (\$363,000.00) Code Account CC, Community Communications Trust Fund, (Index Code 250555) to the General Fund, (Index Code 017939) City of Pittsburgh for reimbursement of indirect costs incurred by the Bureau of Cable Communications for 1990."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like to make a motion to recommit Bill No. 1565 to this afternoon's meeting.

Mr. Coyne seconded the motion.

Mr. Ferlo:

This is on the Cable Communications indirect cost. I did ask for some information; Brother Richard did send some information but not the correct information. I'd like to just have a breakdown of what the actual costs are, including the square footage rent and other matters regarding the franchise fee.

The Chair:

Mr. Perry, if possible, I'd like to have that by this afternoon.

WHICH MOTION PREVAILED.

Also,

Bill No. 1585

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mellon Bank, Corporate Trust Administration, in the

amount of \$32,591.91 in payment for Paying Agent Fees for various City of Pittsburgh General Obligation Bonds, chargeable to and payable from the Sinking Fund (000299)."

Which was read.

Michelle Madoff:

On Bill 1585, if you recall the conversation we had with Mr. Hayllar about the issuing of bonds, that the cost of the bonds should be absorbed by the person buying the bonds. In other words, if they're going to get 7.2 percent interest, maybe they should only get 7.1 so that the actual cost, the burden of producing the bond, issuing the bond, paying the underwriter, paying whoever, would fall to the person who purchases it. It's still a good deal if they're buying them or they wouldn't be buying them.

What happens is, you know, the hip bone is not attached to the thigh bone, and we see everything piecemeal. This is an issue we discussed with Mr. Hayllar and he agreed with me. He said I'm absolutely right and in the future they would be doing this.

Now, this is an additional, I believe, \$32,000, and will there be another 32 and another 32? What is the total debt going to be to Mellon Bank to pay for the handling of this bond that was not encumbered, or factored in would be the correct word, into the issuing of a bond.

I would respectfully ask that we hold this. I don't think it's going to make a real big difference to Mellon if they get their \$32,000 a week later.

The Chair:

Mr. Milliones, it being in your Committee, do you want --

Is there a motion on the floor first?

Michelle Madoff:

I move that we hold it for a week. I'll tell you what, if we could get it by this afternoon, it's okay.

Mr. Ferlo:

I'll second the motion to recommit since I didn't vote for it last time.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

Michelle Madoff

AYES 2

NOES 6

VOTING NO:

Mr. Cohen

Mr. Regan

Mr. Coyne

Mr. Ricciardi

Mr. Milliones

Mr. Wagner

(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Michelle Madoff:

May I respectfully request that somebody be here to meet with us to let us know be-

fore this afternoon the total figure of that issue on that bond, what it's going to cost us that we're not figured in, so that at least when we vote on it this afternoon, the public will know what it costs.

The Chair:

Point of Clarification. The bill was not resubmitted; therefore, it will not be on the agenda today. You are requesting that information even though we are voting on the bill?

Michelle Madoff:

Yes. I just want to know. I want to have it. I know this is final vote.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 2

(MR. FERLO AND MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1586

A Resolution entitled, "Resolution transferring Four Thousand Dollars (\$4,000.00) from Code Account No. 1100 (110007), Miscellaneous Services to Code Account No. 1101-9 (110197), Workers Compensation, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 1587

A Resolution entitled, "Resolution providing for an Agreement or Agreements with William N. Dunn, for professional services in connection with the research and preparation of the Impact of Military Spending on Employment and Social Services for the City of Pittsburgh for the year 1990 at a cost not to exceed \$4,500.00, chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance."

Which was read.

Also,

Bill No. 1588

A Resolution entitled, "Resolution authorizing the transfer of thirty-five thousand dollars (\$35,000.00) from Code Account (1446-1), Index Code 144618), Investigations Expense, Bureau of Police to Code Account (1443-6), Index Code 144360), In-Grade Pay, Bureau of Police, Department of Public Safety."

Which was read.

Also,

Bill No. 1591

A Resolution entitled, "Resolution transferring the aggregate amount of \$700,000.00 to various code accounts from Code Account SPP (254359), Special Parks Program the amount of \$75,000.00 from Code Account SSFSP (270256), Special Summer Food Service Program the amount of \$625,000.00 in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1592

A Resolution entitled, "Resolution transferring the amount of \$88,272.39 from Code Account SSFSP, (270256), Special Summer Food Service Program Trust Fund to Code Account SPP (254359), Special Parks Program in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1609

A Resolution entitled, "Resolution providing for the transfer of funds totalling Fifty Thousand (\$50,000.00) Dollars, from Code Account 1132-2, Index Code 113225, Telephone Service and Equipment, to Code Account 1128, Index Code 112805, Miscellaneous Services and Code Account 1132-7, Index Code 113274, Utilities, all within the Department of General Services, for additional costs incurred for safety code compliance at Gateway View Plaza and the extension of the asphalt paving program." ▀

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7

NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

Also,

Bill No. 1612

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Betty Jane Kline, 4212 Davison Street, Pittsburgh, PA 15201 in the amount of \$500.00 in payment for professional consulting services rendered to Jim Ferlo."

---(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1613

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Craig Straw, 5512 Baywood Street, Apt. 3, Pittsburgh, PA 15206, in the amount of \$100.00 in payment for professional consulting services rendered to Jim Ferlo."

---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Mr. Millions
Mr. Regan
Mr. Ricciardi

Michelle Madoff

Mr. Wagner
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1657

Report of the Committee on Public Works for October 31, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1391

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title VI, Conduct; Article III, Dogs and other animals; Chapter 635, Other Animals and Fowl, by adding a new Section 635.04, Use of Painful Techniques and Devices."

---(SPONSORED BY MR. COYNE)

Which was read.

The Chair:

On Bill No. 1391, Mr. Coyne's legislation, we have received a legal opinion from our Law Department in regard to that bill. I asked for that opinion last week. I appreciate the fact that they sent it so quickly.

In reading it, it's a little confusing to some degree, but in essence what it states is that, and I agree with it partially and don't in another

sense, what it states in essence is that the bill is commendable but may be unnecessary in light of existing State laws in that it is stating that the State in essence has the right now to fine people who are mistreating animals.

The bill in front of us obviously gives us that jurisdiction. I have indicated to Mr. Coyne and to others that I think the bill is a good piece of legislation except for one aspect of it, and that is the Section 635.05 where it eliminates the use of bucking straps with rodeo-type events.

What the people tell me is that these events will never occur again in the City of Pittsburgh. They agreed to the elimination of all the other devices that are indicated. They agreed to the need for notification, veterinarian required, violation of penalties. But they don't agree to that one aspect of the legislation.

Due to the fact that I think it will eliminate these events in the City of Pittsburgh, I am not going to vote for the bill.

Mr. Coyne:

Mr. Chairman, although you may be pleased that we received this report from the Law Department, I am not pleased. You requested it last Wednesday and I received it at one minute to ten. And as sponsor of the bill, I am not pleased at all that the Law Department finds it only necessary to give the Councilmembers a report from their department one minute prior to us coming into session.

The report itself I find very faulty. In the first paragraph, as you said, it says, "This bill may be unnecessary." However, even though they say that the humane agents already have the powers to enforce the revisions of the bill, the State bill provides no access to the areas where the animals are kept, or were kept, or will be kept, and also provides no requirement for a vet-

erinarian to be present. I think they are two of the main provisions of this bill.

The types of equipment that are to be used, we may agree or disagree on whether they cause comfort or discomfort to the animals. However, I think the two main provisions of the access of the humane agent and the requirement that a veterinarian be present, are not included in the State bill. Therefore, I feel that the bill I proposed is necessary for the City and I would urge my colleagues to support it.

The Chair:

I agree, Mr. Coyne; however, I personally think that we could still reach our objective here if we were to not eliminate that one aspect of rodeos which is necessary, and from what those people tell me, is not a harmful device. I know we could disagree respectfully forever on that issue.

Mr. Coyne:

Just for the Record, I have met with the same folks you have and they have explained to me that the bucking straps are necessary. My only contention is that when they portray these animals when they advertise, they advertise these bulls and these horses as being bucking broncos. And if they're naturally bucking broncos, they should need this bucking strap. If the horse is naturally going to do these actions and cause entertainment, he should be able to do it without the strap being attached. I think the strap is a way to irritate the animal to make him perform in an unnatural manner and, therefore, I think that it is not right. But, as you said, we will disagree.

Mr. Regan:

I agree with you, Mr. President. I don't think that any of us in here are that knowledge-

able about it. Any information that we've gotten is hearsay. None of us are experts; none of us are experts at everything.

And, of course, I see a lot of people with no children that are interested in shutting down circuses.

I think here that it's very fair to eliminate just that one part of it. I wouldn't want to see any animal hurt.

Mr. Coyne:

In response to Councilman Regan's comments, the films we say in this Council at the public hearing weren't hearsay. They were clear demonstrations in our eyes, if only for the need of a veterinarian, that the bull that was injured at the event sat around there for at least an hour and a half --

Mr. Regan:

Councilman, I agree with you on that. I'm not disagreeing with you.

Mr. Coyne:

I just wanted to say that it wasn't hearsay. We actually saw it with our own eyes.

And once again, for the benefit of the public, as it was written initially I could see there was a concern that people thought it applied to circuses. I've rewritten the bill and it specifically applies only to rodeo events.

Mr. Regan:

I think it's a little too strong and I called the Councilman on Monday and I didn't get a return call back. So, that's just my opinion, Councilman. I wanted to ask you some questions about the bill but I know you're busy and I know

you have things to do.

The Chair:

I just want to state finally that you were right, there was mistreatment with that event here in the City of Pittsburgh. We had officials come before us in the public hearing representing State government and the Humane Society. They could have fined those people for that and chose not to, for whatever reason. And I think to some degree they should have. They are now saying that the City should do what they should have been doing. And quite frankly, I think they should take a look at the State law and enforce that State law.

Mr. Ferlo:

On the issue of the No Wake Zone, this Council took the action because we felt that State government was not doing enough and I think this is the same principle even though it's certainly a different issue regarding public policy.

Mr. Coyne's bill doesn't ban rodeos; it's fair and reasonable. It's a reasonable attempt to dealing with clearly what has been demonstrated as animal cruelty. And I don't think it in any way threatens major circus events.

Michelle Madoff:

I echo the sentiments of my colleague, Mr. Ferlo. If memory serves me well, I supported you whole-heartedly, Mr. Wagner, because I thought that even though the bill existed on the State level there were lives in danger. And I'm not talking about animals; I'm talking about people's lives in danger on the waters and you did a commendable job in passing it even though the State did have the law.

And I think we can single me out and

say, "Michelle, you can't do it even though somebody else can." And I don't think we can single Mr. Coyne out.

I must tell you initially, my first reaction was, what are we getting into this business of rodeo? Who goes to them? And we can't interfere with private enterprise. But I was at home ill and I watched it on television and it was cruelty to animals. It was brutal. And I am not going to vote for that kind of brutality. I am going to vote with Mr. Coyne.

Mr. Regan:

I think we all agreed to having a veterinarian there. I think we should have a veterinarian there too and I don't think that that should ever happen again.

Michelle Madoff:

They should be natural bucking broncos. They shouldn't have to be irritated by putting a burr under the strap.

Mr. Coyne:

Call the question.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Michelle Madoff
Mr. Milliones

Mr. Ferlo

AYES 6

(MR. REGAN AND MR. WAGNER VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1566

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Group for Recycling in Pennsylvania for professional services in connection with the public education program for recycling for the City of Pittsburgh at a cost not to exceed \$5,000.00 (Five Thousand) Dollars, chargeable to and payable from Code Account 1173, Index Code 117309, Recycling Services, in the Department of Environmental Services."

Which was read.

Also,

Bill No. 1567

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Agents of Change for professional services in connection with the public education program for recycling for the City of Pittsburgh at a cost not to exceed \$576.00 (Five Hundred Seventy Six) Dollars, chargeable to and payable from Code Account 1173, Index Code 117309, Recycling Services, in the Department of Environmental Services."

Which was read.

Also,

Bill No. 1568

A Resolution entitled, "Resolution changing the name of McCandless Street from Harrison Street to Celadine Street in the 10th Ward, 7th District of the City of Pittsburgh to McCandless Avenue."

Which was read.

Also,

Bill No. 1569

A Resolution entitled, "Resolution granting unto Pittsburgh Action Against Rape, 81 South Nineteenth Street, their successors and assigns, the privilege and license to construct, maintain and use, at their cost and expense, a handicapped ramp and planter on a portion of the sidewalk of South Nineteenth Street in the 17th Ward, 3rd District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1570

A Resolution entitled, "Resolution granting unto Riverside Commons Project, Hollander Building, 415 East Ohio Street, their successors and assigns, the privilege and license to construct, maintain, and use, at their own cost and expense, a loading dock and dumpster on a portion of the right-of-way on Hope Street and East Lacock Street in the 23rd Ward, 1st District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1571

A Resolution entitled, "Resolution granting unto Peoples Natural Gas Co., 1201 Pitt Street, their successors and assigns, the privilege and license to construct, maintain, and use, at their own cost and expense, 3 Vaults, on a portion of the sidewalk of Meyran Avenue, 4th Ward, 3rd District, Liberty Avenue, 8th Ward, 8th District, Butler Street, 9th Ward, 7th District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Regan
Mr. Coyne Mr. Ricciardi
Michelle Madoff Mr. Wagner
Mr. Millionses (Pres't)

AYES 7 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1658

Report of the Committee on Planning, Housing
and Development for October 31, 1990
transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1575

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with East Liberty
Development, Inc., for the implementation of
Enterprise Zone activities in the East Liberty
Enterprise Zone, at a cost not to exceed
\$110,000.00."

Which was read.

Also,

Bill No. 1576

A Resolution entitled, "Resolution providing for
the authorization and transfer to the General
Fund of the City of Pittsburgh for

reimbursement of Salaries and Indirect Costs
for the Community Development Block Grant
Program."

Which was read.

Also,

Bill No. 1577

A Resolution entitled, "Resolution authorizing
the Urban Redevelopment Authority of
Pittsburgh to condemn and acquire all of the
City's right, title and interest, if any, in and to the
publicly-owned below-listed properties in the
City of Pittsburgh, under the Residential Land
Reserve Fund, said properties having been
certified as blighted by the Vacant Property
Review Committee and the Planning
Commission of the City of Pittsburgh." •

Which was read.

Also,

Bill No. 1578

A Resolution entitled, "Resolution authorizing
the Urban Redevelopment Authority of
Pittsburgh to acquire the below-listed properties
in the City of Pittsburgh under the Residential
Land Reserve Fund, said properties having been
certified as blighted by the Vacant Property
Review Committee and the Planning
Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1579

A Resolution entitled, "Resolution authorizing
the Urban Redevelopment Authority of
Pittsburgh to acquire the below-listed properties

in the City of Pittsburgh under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission on the City of Pittsburgh."

Which was read.

Also,

Bill No. 1580

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 18th Ward of the City of Pittsburgh, designated as Block and Lot 15-S-51, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1614

A Resolution entitled, "Resolution amending Resolution No. 798 of 1986, entitled 'Resolution providing for an Agreement or Agreements with the Hill District Citizens Development Corporation and the Urban Redevelopment Authority for the rehabilitation of a building for additional office space' so as to correct the designated organization, remove the URA, and change the purpose of the use of the funds appropriated."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Coyne	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7

NOES 1

(MR. MILLIONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1616

A Resolution entitled, "Resolution Repealing Resolution No. 1109 approved October 23, 1990, entitled: 'Providing for an Agreement or Agreements with the North Side Civic Development Corporation, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning.'" --- (SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1617

A Resolution entitled, "Resolution providing for an Agreement or Agreements with North Side Tenants Reorganization, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 1618

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bidwell Education, Music and Reading Center, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1103 (110304) Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 1659

Report of the Committee on Parks and Recreation for October 31, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1538

A Resolution entitled, "Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Schenley Park Rink Trust Fund, for the purpose of depositing funds and expenditure of funds for any and all related expenses."

Which was read.

Also,

Bill No. 1539

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase admission fees at the Schenley Park Ice Rink, effective immediately."

Which was read.

Also,

Bill No. 1540

A Resolution entitled, "Resolution authorizing the Director of Parks and Recreation to enter into an Agreement or Agreements to provide design, acquisition, installation, removal and storage of all equipment and displays to be used in a winter lights display at the Pittsburgh Zoo in an amount not to exceed \$70,000.00 chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund in the Department of Parks and Recreation, Pittsburgh Zoo."

Which was read.

Mr. Ricciardi:

I'd like to point out on Bill 1540 the \$70,000 for the lighting at the Pittsburgh Zoo is a State grant and does not encompass in any way any type of Pittsburgh City tax dollars.

The Chair:

I'd like my comments brought forward on Bill 1540.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 1540-Wednesday, 10/31/90)

Mr. Wagner:

Director, due to the fact this is used for promotional reasons, could it, therefore, be used for alternative promotional reasons?

Ms. Brown:

This grant? Yes.

Mr. Wagner:

Whatever happened to better signage leading to the Zoo? Whatever happened to a transportation linkage? Remember we talked about an exclusive bus that looks like an animal and is a fun buzz to ride and various ideas?

It is still, I think, the belief of many people that access to and from the Zoo is really the major hurdle in terms of promoting the Zoo.

Ms. Brown:

The Port Authority finally did bring their busses down Hill Road, which they had not done before; every one had always stopped at Bunker Hill. The idea of the Zoo bus was not feasible to the Port Authority because they change their busses all the time, so that bus would not necessarily be going to the Zoo and returning.

Mr. Wagner:

I guess what I was really referring to, and I would really wish that the Administration would explore it and these types of funds could be ideally used for it, is a bus owned by the city, operated by the Port Authority that is an animal buzz, and that bus being a fun event for children, and it goes back and forth between Downtown Pittsburgh and the Zoo exclusively, has a regular schedule, and when you look at it, you know it is the Zoo bus. No matter what we do out there, if we don't create the linkages between Downtown Pittsburgh where all the public transportation systems come, the linkage between there and the Zoo, we are never going to dramatically improve attendance at the Zoo.

And so I would like at least all of you to explore that idea and report back to us. I'd say rather see the \$70,000.00 used for that purpose, quite frankly, and I never get a response from the Administration.

Ms. Brown:

What this will do is hopefully increase attendance and revenues. The analysis that was done on the Zoo bus is that the cost to operate a bus or pay the Port Authority to operate a bus for a couple of months to bring 45 to 55 people every couple of hours would not -- would not make any money, and it wouldn't cover itself, either. That is not to say we shouldn't look at it again.

Mr. Wagner:

All of you aren't being visionary in the sense that we would have a constant marketing tool for the Zoo, and that would be here and throughout the city on a continual basis, rather than the Zoo just promoting itself where it is geographically, which is the eastern most portion of the City of Pittsburgh. And the linkages aren't there, you know, it is as simple as that.

How does someone from Overbrook get to the Zoo? How does someone from Esplin get to the Zoo? Take a bus. You take two busses, you don't take one. What is the reminder for someone to go to the Zoo? There isn't any. And we need to create that linkage if we are going to put as many public funds into this project as we have.

Please respond to me specifically in regard to doing that. We put other monies towards transportation purposes, and I think we could apply it well here.

(END OF COMMENTS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1660

Report of the Committee on Engineering and Construction for October 31, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1497

A Resolution entitled, "Resolution amending Resolution No. 320, effective April 3, 1990, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for Design Services in connection with the Reconstruction

and Stabilization of Various Retaining Walls, including but not limited to Andover Terrace, Dakota Street, Pusey Street, Rubric Street and Sprain Street; and providing for the payments of the costs thereof,' by increasing the total project allocation by \$25,000.00 from \$100,000.00 to \$125,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 7 NOES 1

(MR. RICCIARDI VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1563

A Resolution entitled, "Resolution amending Resolution No. 259, effective March 21, 1990, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements, and/or Contract or Contracts, or use of existing Contracts, for Swimming Pool Design and Rehabilitation of Existing Facilities, including

but not limited to Homewood, Ormsby, Cowley and Beechwood; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$220,000.00 from \$400,000.00 to \$620,000.00."

Which was read.

Also,

Bill No. 1564

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by redefining funding sources, \$220,000 from EC 212 Step Reconstruction to EC 103 Swimming Pool Renovation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

Mr. Ferlo:

On two brief things, Mr. Chairman. I noticed on the agenda for the budget hearings that the tax hearing is on November 29th at 10:00 a.m. and I'd like to respectfully request that we possibly hold an evening meeting on taxes as we have in the past. There may be people and certainly there are a lot of people in the City who work during the day and are not able to come down to Council Chambers at 10:00 a.m.

I think there's a lot of controversial issues regarding the tax policies as a City, certainly the occupation debate that has been initiated by the Mayor. There will be other bills submitted regarding the amusement tax by myself and possibly other Councilmembers as well as the property tax.

I think we should afford people an opportunity to be able to speak and I'd like to make a motion that in addition to the 10:00 a.m. hearing that there be an evening meeting at 7:00 or 7:30.

The Chair:

Mr. Ferlo, your motion is out of order. The creation of all hearings is under the complete jurisdiction of the Council President.

Mr. Ferlo:

I'd like to make a motion that we urge the Council President to establish an evening meeting for the tax hearing.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Michelle Madoff:

I have a request that doesn't need to be voted on but it was in the same vein and I thought it was going to be pre-empted or I would not have asked the question.

The Finance Chairman and the President have sent out a list of the hearing dates starting November 14th and I think it's important that the two numbers the people can contact Mike Perry -- Mike, what number do you want them to reach you at?

Mr. Perry:

255-2138.

Michelle Madoff:

255-2138 or 255-2142, if it's busy.

Numerous organizations have asked me whether I would help them find some money over the year and I always say, "Call Mike Perry and get on the agenda and come before Council and plead your case."

Mr. Milliones:

It's too late to get on the agenda. If they're not already signed up, it's too late.

Michelle Madoff:

Well, I would --

Mr. Milliones:

It's too late. The schedule has already been set. We have about 86 or 87 people al-

ready. We don't need any more.

Michelle Madoff:

But some people just don't know.

Mr. Milliones:

The schedule has already been set. It's too late to call.

Michelle Madoff:

How were they notified to come?

Mr. Milliones:

By letter.

Michelle Madoff:

They went to the same groups that came before?

Mr. Milliones:

Yes, in addition to other groups.

Michelle Madoff:

What about the groups that never came before?

Mr. Milliones:

It's too late to call, Michelle. That's it.

Mr. Ricciardi:

Also, Michelle, if I'm not mistaken, it was our responsibility to reach out to other groups, which I have and I'm sure you have and other people have.

Michelle Madoff:

Well I've been telling everybody to call Mike over the year, but I just thought it was important and maybe in the future for next year or something, we ought to early in the year --

Mr. Milliones:

Next year. Not this year. The schedule is already set.

Michelle Madoff:

Alright.

The other thing I was going to suggest, possibly, it seems to me, as a request and I don't think it needs to be voted on, it's at the discretion of the President, that while the evenings may be easier, can we indeed have the same representation, meaning, will the media be here in the evening? Probably. Will we have the stenotypists here? Is this going to make a problem? Could we consider doing it on the weekend? On Saturday?

The Chair:

All budget hearings are televised and are part of the public record.

Michelle Madoff:

Could we do it on a Saturday?

Mr. Milliones:

I would hope not.

Michelle Madoff:

Sunday?

Mr. Regan:

How about Christmas?

Michelle Madoff:

No, I don't want to do Christmas or Easter or Yom Kippur or Rosh Hashanah either.

Mr. Ferlo:

I didn't finish my other point, Mr. Chairman.

On Michelle's point, however, I remind my colleagues that any one of us has the ability to make an amendment to the budget regarding grants and donations whether a group appears before Council or not. I'm sure there will be instances where that's going to happen.

I do want to read this briefly into the public record. I've spoken at length in the past about on-street drug activities as well as prostitution on Butler Street. The Mayor has received a letter from a business letter and I'd like to read it into the record very briefly.

"Dear Mayor:

Recently our company rented out an apartment at 226 45th Street, Pittsburgh, PA, Lawrenceville.

On September 2, 1990, the tenant moved in and on Sunday, September 9, she called and informed me that open and continuous drug dealings were occurring in front of the apartment. I went out and sat on the front porch and watched a total of 35 drug deals happen. These deals were made totally open and the dealers didn't care that I was watching them from 25 feet away.

I really got mad. I used the tenant's tele-

phone and called the police. I gave them the license number and description of the car and the dealer.

A motorcycle policeman was dispatched by the No. 5 Police Station. The policeman drove by the first time, and when the dealer saw this he drove down and parked on Butler Street. The motorcycle policeman circled the second time and then he left.

This dealer and one other were selling drugs next to the Am Vets Post 64 at 229 45th Street. These dealers and their customers were going in and out of the Am Vets. All the residents of this block confirm that this has been going on for a long time.

The following day I called Narcotics to complain and was informed that they did not have agents available on Sundays.

I then proceeded to use a camera to take photos of the dealers and their customers. Between me taking pictures and the man who bought the building across the street yelling at the junkies, we have moved the dealers down to the corner of 45th and Butler, which is the corner of the Boys and Girls Club.

In addition, we have had to put up with three prostitutes working the area between the 40th and 45th blocks of Butler Street for the last two years. I have personally called the No. 5 Police Station and also talked to the beat cop and it has not ceased. The one woman works at least 12 hours a day, 7 days a week.

As our Mayor, I think it is time to ask yourself why prostitutes and drug dealers can operate openly at the same spot for over two years. I question what the Police Department is doing while allowing this to happen.

The Boys Club has a sign up on the wall,

Safe Place, posted on their building, while the drug dealers sell drugs on the corner sidewalk of this location.

Until this is stopped, nobody wants to live near this mess." Et cetera.

I only want to point out again that it reiterates the concern and open frustration I've had regarding this problem. I wish I could say that Butler Street and my neighborhood were the only ones affected by this but that certainly is not the case. Every one of us can speak about several critical areas in our areas, be it the open street drug activity or on-street prostitution.

I would like to ask that there be clarification from the Police Department since we repeatedly have raised this issue about Butler Street and also was the scene of a very large rally a little over a year ago. I'd like to have some report from the Police Department regarding the effectiveness of drug and prostitution arrests in the area.

Secondly, I'd like to get clarification on this issue of narcotic agents on Sunday. I was always led to believe from previous discussions and review at meetings that narcotic agents worked continually, 24 hours a day. But I've gotten three or four instances in the last year where this notion has come up that narcotic agents are not available on Sunday. I'd like clarification on that.

Thirdly, Mr. Chairman, I think it's a question of Council, together with the Mayor and the Police, deciding on priorities. I've been critical of the Police Department in the past; I've accused it of being a ticket, tag and tow operation that has increased revenues from traffic officers. There's over 80 officers assigned to traffic and despite your efforts at increasing the Narcotics Division which has happened a little bit, I think our priorities are backwards.

I think we need to make a further commitment regarding drug activity on the streets and police presence. We're not doing that. We're losing that battle and I hope that this will be a major focus of the budget debate and our dialogue with the Mayor.

Obviously I'm not pleased. I'm very frustrated about this and I don't think we're getting the money that we're paying for in Police.

The Chair:

So, the request is for information --

Mr. Ferlo:

My request really is to --

Mr. Milllones:

Budget hearings don't start until next week.

Mr. Ferlo:

I understand that. But I think it's a question, and I don't think I'm alone on this, I think it's a question of how effective we are and whether or not we should start re-evaluating our police resources.

So, I'm specifically asking for a report from Public Safety and the Police regarding the arrest record of drug and prostitutions in the Butler Street area.

Mr. Regan:

I'd just like to say that I think the Police do a terrific job, that crime is all over, not just on Butler Street. I can name a lot of other places in the City where the same problem exists. I get very frustrated, like Councilman Ferlo, and I'd

be glad to do anything to sit down with the Councilman and see what we could work out to eliminate the problem. But it is a tough problem.

We cannot put a beat policeman on every corner because there's not enough to go around. Police in cars can cover a lot more ground than a policeman can standing on a corner. Once a policeman makes an arrest, a lot of people don't understand that he's taken off the street for two or three hours writing up reports, taking the man to the police station. So, if you make ten arrests in the City, you take ten policemen off the street.

So, there is a problem with the new rules and regulations that they have to abide by, people's Constitutional rights. And you just can't arrest a person because you think he's doing something; you have to actually see the transaction. I know a lot of citizens can see the transaction because burglars and criminals are not dumb people a lot of times, and they know if a policeman comes and he sees them, they could be arrested. But they'll deal in front of people because they figure that they can't do anything about it.

I went with our City Impact Squad on some narcotics raids and I was absolutely fascinated with what a great job they did.

Mr. Ferlo:

Mr. Chairman, in response. I'm asking that this public policy be debated. Personally, I don't think we're going to win the war against drugs in the manner that we're attempting to win it. And what I'm saying is, I would rather have the priority be police presence, on-street police presence, on Butler Street. And if there's going to be drug activity, let it take place somewhere other than on the street.

I don't have the illusions that others seem

to have in this society about the impact that we're going to have on this problem and the manner in which we're fighting it. What I'm saying is, it's a question of reviewing this public policy.

And I'm saying, rather than have policemen run around endlessly in cars, I'm saying that I think the majority of people in the Lawrenceville community would prefer to have a police officer present in a beat fashion visibly on the street. Is that going to end drugs? No. It just means that drug activity will happen and not take over and consume the business life and the neighborhood life of that area. It's a question of what the priority should be.

I'm also questioning 80 some officers being involved in ticket, tag and tow. I can't understand why officers have to be involved in revenue generating, on Vascar, on streets where it's not a question of people speeding, it's a question of raising revenue. I'd rather have those officers be visible on Butler Street.

So, I'm raising a question of what our priorities should be in the City. Right now I think our priorities are totally backwards.

Mr. Ricciardi:

Mr. President, on this issue I wholeheartedly agree with my colleague, Councilman Ferlo's request for this additional information from the Public Safety Department. I personally am looking forward to the debates during the budget time because I would like to see some of the priorities realigned.

I know in my district, and I'm not going to mention the corners or the streets, I personally am having some trouble with what Mr. Ferlo is talking about. As a matter of fact, there's a group of residents and we're going to be meeting in front of one of our district magistrate's on a home that is a nuisance in our neighborhood.

So, I think the information that he has requested can help start to lay the groundwork for some of our discussions during budget time. It will be my first budget I'm going through and I'm looking forward to that information.

Mr. Regan:

I just want to say that Councilman Ferlo and myself were the only ones that voted for 25 more police officers. But, you know, City firemen, they go out and they put out fires. You never heard anybody say anything bad about a fireman. But police officers are in the precarious position that anything they do is wrong a lot of times. I think they do a hell of a job and I think the City of Pittsburgh Police do a terrific job. I think we have a good Chief of Police in Mayer DeRoy and I think things are going to get better.

I will work with the Councilman 100 percent. But the complaints that he has are in every neighborhood in the City of Pittsburgh and every other large city. That doesn't mean that we can't stay on them and fight them. But I'm just saying that policemen in cars can do a hell of a lot more than a beat cop standing on the corner.

And like the Impact Squad, those narcotics agents will make 50 arrests. The Impact Squad will go out and knock on doors and add a little pressure and they make 6 arrests. But the people think that that's terrific. They don't know about the other 50 arrests that were being made. They get no publicity.

Mr. Ricciardi:

If I may, Mr. President. To make it perfectly clear, I'm not saying that police officers overall are not doing a good job. What I'm saying is, I think this is what the budget proceedings are about, helping to establish our priorities and

helping the Administration, through a cooperative effort, in what we believe where the priorities and the resources shall lay.

I think Mr. Ferlo is saying the same thing about police officers and, correct me if I'm wrong, Mr. Ferlo. We're not saying they're not doing a good job; we're saying let's look at the priorities, let's look at the manpower, let's look at the resources, and maybe let's look at some other innovative approaches where we could have an impact on the safety, the public safety of the City of Pittsburgh.

The Chair:

I'd just like to interject a comment. I think the request is genuine also and I think we should get that kind of information. And we will have extensive debate at budget time in regard to this ever-increasing public problem of narcotics.

The question is, what can Council do. I also think that our narcotics people do an excellent job. It's probably the most hazardous position in government today, to be a narcotics detective. And we never have enough resources to address that problem. We're not alone as a municipality; every municipality in the country is in the same position.

What can we as elected officials do? Well, we go out to visit buildings that are dilapidated that police are in. We've gone out and looked at deteriorated roads. Why don't we some evening, as a body of Council, go to these hot spots? And we will request the presence of Chief DeRoy and others within Narcotics and Police, the Mayor's Office if they want to join us. Let's show that we as elected officials care about what our people in the neighborhoods are seeing. And what I'm suggesting to do is create more public attention to the issue and identify whole locations around the City. And if that's

agreeable to my colleagues, I will arrange to set up an evening as soon as this week for us to go out at 45th and Butler and several other locations in the City.

Mr. Ricciardi:

Mr. President, I think that's a great idea and I'd like to set up a tour. It will be at 1:30 a.m. from a rooftop in Arlington and we can watch some of these transactions and I'm sure we could all do the same. I think we should do that.

The Chair:

Okay, let's do it.

Michelle Madoff:

I think it's a terrible idea and I'll tell you why. If they know we're coming, they won't be there that day. Let me tell you from experience in my district where they're out in the middle of the afternoon selling. You have to go unannounced.

The Chair:

Well that's one less day that they'll be there, if they know we're coming.

Michelle Madoff:

Why don't we do it unannounced?

Mr. Regan:

I have a real problem in my neighborhood also, up in Northview Heights. I held several meetings and God bless Councilman Ferlo because he was right there with me. I said, "If you get 50 women, I'll march with you down the street." We couldn't get them because people are afraid.

It's a very sad situation and I would personally agree to work with Mr. Ferlo on that and eliminate that problem out there, which I'm sure we can. But like he said, they move up the street.

Mr. Ferlo:

Mr. Chairman, I just want to say that I support you wholeheartedly. Clearly there won't be drug activity if we have television cameras and us. That's not the issue. I think the issue is, to effectively raise public consciousness, community support, public attention on this issue in the community, Lawrenceville in particular, but other neighborhood hot spots have been mentioned. So, the issue is not so much that we're going to take a crowd there and make arrests that night. The issue is, as you say, to put the public pressure.

And again, I am in no way being critical of the Impact Squad. I would say a prayer for them every week. That's not the issue. The issue is, I think we have to re-evaluate what our priorities are in the Police Bureau and even in the Public Safety budget. I've always been critical of the department. I'm going to be critical this year of top Administrative positions versus on-line police officers.

Mr. Cohen:

Very briefly on that, Mr. President. When you put together that list, please let me

know. I have a couple of places in my district I'd like to add.

Michelle Madoff:

May I add to that? I have a couple of places but I can assure you that if they know we're coming they won't be there. Why can't we go unannounced? Arrange it privately amongst Councilmembers.

The Chair:

We can. We'll work it out.

Mr. Cohen moved to excuse Mr. Darkins for absence from the meeting.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones moved to adjourn this meeting and meet again on Tuesday, November 13, 1990 at 2:00 p.m. for the Mayor's Budget Address and the Legislative Session.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Milliones**

Council adjourned.

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Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, November 13, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to ask two of my colleagues, Councilwoman Michelle Madoff and Councilman Jake Milliones, to please escort the Mayor of the City of Pittsburgh into Council Chambers.

Ladies and Gentlemen, the Honorable Mayor of the City of Pittsburgh, Sophie Masloff.

Mayor Masloff:

Mr. President, Members of Council. Thank you very much for your kind greeting here this afternoon.

We are meeting here at a time of trouble for our national economy. Last month, the Federal Government finally began the process of looking at the due bill for the past ten years. We have had astronomical deficits and drastic federal cutbacks. A big part of our savings and loan industry has been looted, and we have a weakened banking and credit system. This is choking off growth in important parts of our economy.

Some people think that the 80's were great, a wonderful spree. Others do not. But, whatever we think, the reality is that the bills are coming due. The interest on our national debt is now the third largest expenditure in our national budget. In just two short years, we have gone from, "Read my lips" to higher taxes.

Here in Pennsylvania, the news also is

bad. Our State's revenues are way below projections, and Philadelphia is near bankruptcy. When the bonds of the largest City in our State have been reduced to junk status, we must all be concerned. The fact is that there are serious warning signals in almost every national, state and regional economic forecast.

So, the question before us today is this. What kind of shape are we in? Are we prepared?

The answer is: Pittsburgh is ready.

We are ready because for 9 years in a row, we've balanced our budgets without tax increases. Our bond rating is solid, and we have done so many of the things we needed to do to position our City for the future:

- We cut the wage tax two years in a row and improved our competitive position.
- We initiated a successful bank rating system to help insure an adequate supply of mortgage and home improvement loan money for Pittsburgh residents. The banks have responded, and they are putting money where they've never put it before.
- We have greatly improved the collection of delinquent taxes. In 1990, we increased collections by almost \$3.5 million dollars, an increase of 35%. In 1991, we will do even better.
- Overall, we are managing our resources better, increasing accountability and efficiency throughout City government. For example, our Firefighters, working on down-time, inspected 6,500 commercial properties this year and prevented countless future disasters.

Another reason we are ready is that we have succeeded in solving many of our biggest problems:

- We made an agreement with the County for a new Public Safety Building and Jail.
- We worked out an agreement with the Penguins about the Civic Arena on terms favorable to the City.
- We succeeded in creating a recycling program to comply with State law at no additional cost to City taxpayers.
- We got rid of the Police Trial Board.
- We passed a new Ethics Bill.
- At long last, we've made real progress with Alcosan -- taking effective steps to solve both the odor and sewer problems which have been with us for so long.

And, we are ready because we are doing a better job in City government day-to-day:

- We have improved emergency response time on 911 calls by an average of 3 minutes per call.
- We rehabilitated 25% of our City pools this year.
- We made major capital improvements at 15 of our largest recreational facilities.
- We trained and placed nearly 1,000 City residents in new private sector jobs.
- We proved, once again, that we have

the ability to adapt to tough challenges during the oil spill on the Allegheny River. Pittsburgh was the only city in this area that stayed open, pumping good, clean water throughout the crisis.

But, while we are proud of all this, we know that Pittsburgh is not an island. The slowing economy all around us threatens to stall our growth. Hard times may or may not be on the horizon, but one thing is certain: Tougher times are coming soon.

We are ready for the challenge of tougher times. Above all, it is going to require leadership. This Administration is ready to lead. This Council is ready to lead.

The 1991 Budget I am presenting today reflects our concerns about the present situation and our determination about the future. Some things we'll move ahead. Some things we'll hold even. Some things we'll sacrifice.

We have had five watchwords in mind in preparing this budget: planning, stability, thrift, consistency, and compassion.

What does that mean? It means we are going to maintain the gains for the future, which we have made by cutting the wage tax. We must hold the wage tax where it is now and we will. It also means that we will exert the most stringent discipline to keep the City's fiscal condition sound. This budget is balanced — without any tax increases.

Let me give you a few figures. We propose to spend a total of \$334 million dollars. The budget includes several additional auditors and investigators in the Finance Department to further enhance our tax enforcement program. This will produce at least an additional half a million dollars. There are several fairly sizable fee increases totaling well over half-a-million

dollars. This budget includes a 2-1/2% increase for all non-union employees.

We are eliminating over 250 positions from the General Fund. A substantial number of these are unfilled now and some of them have already been eliminated during 1990. But there will be some filled positions eliminated and there will be some layoffs.

This budget was hard and difficult to prepare. With all the numbers, I have never forgotten that the budget is really about people. To achieve the savings we had to achieve, it looked, for a long time, like we were going to have to eliminate a very large number of filled positions and lay off a great many people.

But, wherever possible, we have avoided layoffs and cut back by attrition. Wherever possible, we have transferred people from the General Fund to user-fee based trust funds. Wherever possible, we have reassigned people who are freed up by improved efficiency to new programs. For example, we will save the need for 66 positions in Environmental Services by instituting a bulk-goods pick-up program. But, approximately 40 of those people will be needed as we move into the recycling program. Where this was not possible, we are offering an excellent early retirement program for non-union employees.

By doing these things, we have avoided massive terminations. Now, having done everything we know how to do, we must face reality. The future of our City depends on a lot of things. But, nothing is more important to the City's future than that we have the courage to keep our house in order.

Mr. President, Members of Council, let me summarize the financial part of my message. The National government is not living within its budget; the State government has not been liv-

ing within its budget; Philadelphia has not been living within its budget. By God, the City of Pittsburgh is going to live within its budget, and we will do it with fairness and the future as our guide.

The truth is, we have faced much more difficult things before. We have survived depression and recession. We survived the awful wrenching transition to a more diversified economy. One of the reasons we survived is that Pittsburghers know how to pull together. We know that in rough times, the least fortunate often suffer the most.

I guarantee you that we will be sharing our equipment more -- as we did with our neighbors in Homestead this year. In these things, I am always guided by my earliest memories. We always set an extra plate.

We are going to make this building more accessible to the disabled. We are working on a plan with the Center for Independent Living to do that.

And we are working hard with our minority contractors to remove the obstacles they face in working with the City. We are exploring the possibility of using letters of credit as a substitute for the bonding requirement on smaller jobs. We are working to create a revolving loan fund for meeting a company's first payroll. In a few days, I will be announcing a comprehensive program for minority and women-owned businesses. I am committed to do everything our imagination and resources will permit to guarantee equal opportunity to working women and minorities in our City.

We are not helped in that effort by the fact that the President vetoed both the Family Leave Bill and the Civil Rights Bill this year. These vetoes have depressed working women and minorities everywhere. These are not parti-

san matters. These bills are about families and fairness, about jobs and justice. They should set the foundation for the work we try to do here. I deeply hope these bills will be revived in Congress next year and passed into law with the President's help.

Last year, my top priority with the State was to reform the Trial Board System. By working together, we were able to do that, and I am convinced we will see the positive impact of this change for decades to come. This year, working with the General Assembly, we hope to succeed in lowering the amusement tax and develop an alternative regional income source.

We are making this effort not just to secure a better competitive position for the Steelers, the Penguins, and the Pirates. We also want to improve the health and vitality of all our cultural institutions: symphony, opera, public theater, ballet, as well as our neighborhood movie houses.

During the coming year, I will also propose the creation of a new sports and festival federation. This federation would oversee all the major regional tourist events that occur in the City such as the Marathon, the Children's Festival, the Arts Festival, the Fourth of July, and the Regatta. These events are major attractions for the City and the region. We will be working with the County and the State to secure a permanent source of funding for the Sports and Festival Federation.

You are all aware that I have traveled to Washington several times and to Harrisburg to help gain support for the new Airport Busway. We simply must succeed in guaranteeing that the City will have full access to the jobs and business possibilities that will become available at the new Airport.

There is another transportation initiative

which is equally critical for our economic future. The two greatest engines of employment within our City are Oakland and Downtown. We need to strengthen both and to connect them. It is long past time to stop studying and to begin to plan and to build a direct rapid mass transit corridor between Oakland and Downtown. Pushing this project forward is vital to the City's future.

It is not possible to discuss the future of our City without talking about our relations with tax-exempt institutions; particularly, our great hospitals. As you know, we have pursued an aggressive policy toward hospitals that claim tax exemptions without merit.

Our overall position is this: This City simply cannot bear the burden of supporting municipal services for the core health care system for large parts of Ohio, West Virginia and Pennsylvania. We must be made whole.

We are deeply grateful that Presbyterian University Hospital and St. Francis Hospital have come forward to help us voluntarily. Other institutions have not been so inclined.

The City will continue to review all tax-exempt properties to make sure they comply with the law. If they are not "purely public charities" as required by the law, we will challenge them in court. I am convinced we will win.

We will fight any appeals of those victories to the highest courts. The simple fact is: City taxpayers cannot continue to pay the bill for the entire region.

Of course, I do not welcome long legal battles with some of our City's most important institutions. So, today, I want to outline a compromise I would accept. In concept, it would be modeled on the way municipalities are compensated in Pennsylvania for property owned by

public utilities.

Public utilities are exempt from real estate taxes. However, they pay a fee to the State of 30 mills on the book value of their property. Meanwhile, municipalities report to Harrisburg the amount that would have been paid by the public utility had they not been tax-exempt. The General Assembly then distributes those funds on the basis of a formula to all municipalities.

Under such a concept, both sides would be served. The hospitals would retain the tax exemption which is most important to their ability to fund their growth through tax-exempt bonds. Pittsburgh would be reimbursed for the cost of serving these huge facilities, and no additional revenue would be required from the State.

Of course, such a compromise could only work if it were taken to Harrisburg by the City and the hospitals working together. I am willing to do it.

My message to the hospitals today is this: We love your work and respect your skill. We have heard you say that you don't mind helping the City, but you must not risk your legal position. We will gladly join you in partnership in Harrisburg, or we will see you in court. It's up to you. Either way, the taxpayers of this City will be served.

Mr. President, Members of Council, today's budget marks the ninth year in a row that Pittsburgh has been without a tax increase. We are rated among the five Most Livable Cities in the Country. It is our job to keep it that way. Thank you very much for your attention and support.

The Chair:

Thank you, Mayor, for the 1991 Budget Proposal and Address.

I would like to ask one of my colleagues for a 15 minute recess motion.

Mr. Ferlo:

So moved.

Mr. Cohen seconded the motion.

And on the motion of **Mr. Ferlo**

Council recessed.

Pittsburgh, PA
Tuesday, November 13, 1990

And the time of recess having expired,
Council reconvened.

PRESENTATIONS

Michelle Madoff:

May I please request that representatives of the National Retiree Volunteer Center, (NRVC), Richard Parran, retired Vice-President of PPG - the Pittsburgh Conference Chairman, please step forward? Donna Anderson, National President of NRVC in Minneapolis, Minnesota; Otto Silha, retired Chairman of Cowles Publication and Vice-Chairman and Member of the Board of NRVC; and James Roddey of Allegheny Media, member of the NRVC Advisory Board. Will you please come forward and bring everybody with you?

I happen to be addicted to the Press and Post Gazette and I happened to read about your organization. I was enormously impressed and thought it was appropriate that we have a resolution in your honor.

Michelle Madoff presents

No. 1686 WHEREAS, the National Retiree Volunteer Center, (NRVC), which is the catalyst that mobilizes and empowers retirees to become a force in their communities by providing leadership and service in meeting critical community needs, is sponsoring a national conference; and

WHEREAS, on November 14, 15 and 16, 1990 the City of Pittsburgh will be hosting this conference, LAUNCH '90 Retiree Leadership: Untapped Power to Light Up America's Future, the first business summit on retiree leadership and service ever to be held in the United States; and

WHEREAS, this summit is designed to mobilize a national movement of retiree volunteers in providing community leadership to deal with the critical issues that face our nation by the utilization of their wealth of knowledge, talent and expertise; and

WHEREAS, current and recently retired Pittsburgh business leaders such as Richard Parran, retired Vice-President of PPG - the Pittsburgh Conference Chairman; William Schenck, Vice-Chairman of PNB, - Finance Chairman; and William Block, Chairman of the Pittsburgh Post Gazette; Douglas Danforth, Retired Chairman of Westinghouse Electric Co.; C. Fred Fetterolf, President of ALCOA; Robert C. Milsom, Retired Chairman and CEO of Pittsburgh National Bank; David M. Roderick, Retired Chairman of USX Corporation; and Otto Silha, Retired Chairman of Cowles Media and Vice-Chairman, Board of Directors of NRVC, who serve as Honorary Chairmen have been instrumental in providing the local leadership to promote this national conference; and

WHEREAS, James Roddey of Al-

legheny Media, who serves on the National Advisory Board of NRVC, along with Donna Anderson, National President of NRVC in Minneapolis, Minnesota had key roles in the planning and recruitment of local participants and sponsors for this important meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh wishes to recognize the leadership and members of the NRVC for their vision and direction in convening this historic conference, and hereby declares that November 14, 1990 be designated as National Retiree Volunteer Day in the City of Pittsburgh.

Michelle Madoff moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

James, would you like to say a few thousand words?

Mr. Roddey:

I don't know why they always choose me to comment.

I think it's interesting and ironic that the theme of this conference is "Light Up America's Future" and the conference ends on the 16th, and that's Light Up Night in Pittsburgh. I think it's symbolic. Pittsburgh certainly is a city of our nation's great past and our great future. And to have the conference with that kind of theme here in Pittsburgh ending as we light up the lights I think is a nice touch.

We have raised over \$200,000 locally for support of this conference, all from private

contributions. We didn't come to Council and after hearing today's budget it would probably not have been a very fruitful visit.

But we do want to just call you attention to the fact that in a city that has many retirees, in a city that has an inordinate number of corporations for its size, there could be no more appropriate place for a conference of this type where people retire from their companies but stay in their company units organized with their working associates from their working lifetime and transfer, really, from active duty in their company to volunteer duty in their company.

Such companies as USX and Mellon and PNB and Heinz and Westinghouse and Alcoa all have programs and we're very fortunate to have this conference. Over 600 business leaders, chairmen of boards of companies, presidents of major companies around the country, Dow Chemical, Honeywell, 3-M, several Cabinet secretaries from the Republican Administration, and I know all of the Councilpeople are excited about that. But we will have leaders from all over the country talking about how this program can be extended around the country.

Two members, the past Chairman and the new Chairman of the Points of Light Foundation will be here and hopefully they will participate in lighting the lights at the Point on the 16th and our theme will be, "Light Up America's Future; the Points of Light Meet the Lights at the Point".

So, we thank Council and Councilperson Madoff, certainly, for recognizing the conference, and all of you for leading the kind of City that makes it possible to have a volunteer ethic in tradition such as we have. Thank you very much.

Mr. Darkins:

Mr. President, could I have Mr. Michael Cash and Ms. Susan Marrow come forward, please?

Mr. Darkins presents

No. 1687 WHEREAS, Casper W. Weinberger is one of the most outstanding Americans and civil servants in the United States of America; and

WHEREAS, Casper W. Weinberger served his country with honor as United States Secretary of Defense during the Regan Administration; and

WHEREAS, Casper W. Weinberger is a native of San Francisco, California and a graduate of Harvard College, Harvard Law School and a member of the Phi Beta Kappa Honor Society; and

WHEREAS, Casper W. Weinberger has achieved great success as a former Captain with the United States Army, as a Member of the California State Legislature, as Director of Finance for the State of California, as Chairman of the Federal Trade Commission, as Director of the Office of Management and Budget and as Secretary of the U.S. Department of Health, Education and Welfare; and

WHEREAS, Casper W. Weinberger is a man most worthy of honor and recognition for his years of sacrifice and unselfish service to his fellow man and to his country.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims November 13, 1990 as "Casper W. Weinberger Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ricciardi seconded the motion.

Mr. Ferlo:

Discussion. Mr. Chairman, I don't wish to embarrass my colleague, Bishop Darkins, but I am very upset at this resolution. I'd sooner vote for a proclamation for Mephistopheles than Casper Weinberger. He represents the worst of not only the Regan Administration but any administration and I would violently oppose proclaiming any day Casper Weinberger Day in the City of Pittsburgh.

He's responsible for the constructive engagement philosophy of the Regan Administration regarding the oppression in South Africa. He's responsible for the brutal murders and killings in Central America, and there's no way I would vote for this gentleman. With all due respect to my colleague and to the guests. It would be over my dead body.

The Chair:

I would hope we would not get into an extensive debate on this.

Mr. Ferlo:

Mr. Chairman, in the past, Councilmembers have come forward regarding the issue of abortion. This Chambers is divided on the issue of abortion. Many of us believe personally that we're opposed to abortion. We believe that women have a right to choose what's going to happen with their own bodies.

There are times when, unfortunately, certain proclamations come forward to these Chambers regarding controversial issues and, unfortunately, certainly honoring somebody is not a controversial issue but in this particular re-

spect, this particular gentleman, the former Secretary of Defense in the Regan Administration, there's no way I could vote in favor of that and I just feel obligated to speak my mind.

I'm not asking for a tabling of the motion but I'm letting you know that I'm voting no and why, and I would certainly respect my colleague and I apologize to the guests who are here today.

Mr. Regan:

I don't even know this gentleman but he has done a lot of good things in his life and I'd like to respect him and admire him for that.

I would like to say that there are a lot of people here that I might not agree with but we're presenting something in here by a Councilman and I think all he's doing is embarrassing Council. I don't think it's fair because a lot of us bring resolutions through here and I'm sure we all don't agree.

He's talking about pro-choice. He don't worry about murdering babies but he's going to go against a guy like this. And I totally disagree with him on that. But that's one issue. This is America; there's a lot of issues in America. And I have to admire the Bishop for presenting this resolution and I hope wholeheartedly we're going to support him on it.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Regan

Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 5

NOES 3

(MR. COYNE, MR. FERLO AND MR. MILLONES VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Cash:

On behalf of the Rivers Club and Casper Weinberger, I'd like to thank you in accepting this for him. He'll be at the Rivers Club tonight.

This is part of what we call the Lecture Series at the Rivers Club, the second year running, and we'll have individuals such as Mr. Weinberger and George Plimpton and Dr. Jean Kirkpatrick later on this year. Thank you very much.

Mr. Ferlo:

Oh great. Another great person. You should invite some humanitarians to the Rivers Club.

Mr. Regan:

Yeah, well keep killing babies --

The Chair:

Mr. Regan, Mr. Ferlo, you're both out of order.

Michelle Madoff:

This is still a democracy, Mr. Ferlo.

Mr. Ferlo:

That doesn't mean we have to proclaim the day after him.

Michelle Madoff:

I didn't vote for it.

Mr. Milliones presents

No. 1688 WHEREAS, Marian Wright Edelman was born in Bennettsville, South Carolina, graduated from Spelman College in 1960 and later earned her law degree from Yale Law School in 1963; and

WHEREAS, Marian Wright Edelman founded the Washington Research Project which became the Children's Defense Fund (CDF) in 1973 and has been an advocate for disadvantaged Americans for her entire professional career; and

WHEREAS, Marian Wright Edelman, as the first black woman admitted to the Mississippi Bar, began her campaign for children in the mid 1960s by directing the Legal Defense and Education Fund of the NAACP branch in Jackson, Mississippi; and

WHEREAS, Marian Wright Edelman's involvement in many civil rights cases helped to successfully fend off political attacks against the Child Development Group of Mississippi, a Head Start Program with over 100 centers in mostly rural, poor communities; and

WHEREAS, Marian Wright Edelman and the CDF have demonstrated how government and private groups can reduce infant mortality, get children immunized, house homeless families, assure safe child care, and most importantly give children the education they need for

breaking out of poverty.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh joins in offering congratulations to Marian Wright Edelman for becoming a powerful voice for justice for our nation's children and for receiving the 1990 Thomas Merton Award in recognition of her long-term commitment in the struggle for racial and economic equality.

Mr. Milliones moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to ask Christine Comform, President of the South Side Community Council and our honored guests this afternoon to please come forward.

We have with us Katie Farrell, Lisa Laskovich, Christy Powell, Tracy Laskovich, Lori Prokopezuk, and Dana Chase.

Mr. Ricciardi presents

No. 1689 WHEREAS, Katie Farrell, Sara Huber, Lisa Laskovich, Christy Powell, Tracy Laskovich, Germane Washburn, Lori Prokopezuk and Dana Chase have been selected as winners in the South Side Community Council's "Don't Get Hooked On Drugs" contest; and

WHEREAS, the South Side Community Council's "Don't Get Hooked On Drugs" campaign is designed to encourage youngsters to say no to drugs and to learn about the consequences of drug use; and

WHEREAS, the South Side Community Council received national recognition from

Neighborhood USA for its "Don't Get Hooked On Drugs" program for children and adults; and

WHEREAS, approximately 150 children and adults are involved with this program annually.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Katie Farrell, Sara Huber, Lisa Laskovich, Christy Powell, Tracy Laskovich, Germane Washburn, Lori Prokopezuk and Dana Chase for being selected as winners in the "Don't Get Hooked On Drugs" contest.

Mr. Ricciardi moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, Mr. President and colleagues. We know how important it is today to fight drugs on the street and we found it very difficult in the past to fight the supply of drugs. But I think what we're doing as a society is turning our attention to fighting the demand for drugs.

The South Side Community Council, along with other neighborhood based organizations, are beginning to hold annual seminars and educational events throughout the year, not just for youngsters but for adults. I had the opportunity to attend this one and it was a great program; it was about all drugs, the evils of alcohol, the evils of tobacco, and other hard-core drugs from the City.

So, I'd like Christine Comfort to say a few words. And I'd like to say that Tom Waschak who is the chairperson of this committee on Public Safety is unable to attend today but

he sends his best. So, Christine Comfort, if you could say a few words and maybe introduce our guests.

Ms. Comfort:

Thank you, Gene, and City Council. I'd like to personally take credit for these wonderful children, but I can't.

The Public Safety Committee of the Community Council has worked many long, hard hours to put together our "Don't Get Hooked" program. It's a program we've very proud of and I think these children prove that the program works.

If these children are the future of South Side, then all I can say is, it looks like we have a very bright future.

I'll now turn it over to the children.

Dana Chase:

My name is Dana Chase and I'm an eighth grader at South Side Catholic. I just want to thank everyone that made it possible today.

I feel that drugs are very bad and I'm glad that I'm not on drugs and nobody else I know is on drugs. I feel that nobody should be on drugs because they know the consequences and they shouldn't be on drugs.

Thank you.

Lori Prokopezuk:

My name is Lori Prokopezuk and I'm in the eighth grade at South Side Catholic School.

I would like to give a special thank you to City Council, South Side Community Council, and Sister Carol, for making this award pos-

sible.

Tracy Laskovich:

My name is Tracy Laskovich and I'm in fourth grade.

I'd just like to say thanks.

The Chair:

Thank you all for coming.

Mr. Darkins presented

No. 1665 Resolution transferring the sum of \$100,000.00 from Code Account No. 1166, Index Code No. 116608, Salaries and Wages, Regular Employees \$60,000.00 and from Code Account No. 1169, Index Code No. 116905, Wages, Regular Employees Sick Leave \$40,000.00 to Code Account No. 1165-9, Index Code No. 116590, Worker's Compensation, in the Department of Environmental Services. The transfer is necessary to cover the ever rising medical costs incurred as a result of compensation.

Also,

No. 1666 Resolution transferring the sum of \$35,000.00 from Code Account No. 1167, Index Code 116707, Wages, Regular Employees, to Code Account No. 1160, Index Code No. 116004, Salaries, Regular Employees, in the Department of Environmental Services. The transfer is necessary to cover the additional cost of the As Needed positions in the General Office.

Also,

No. 1667 Resolution transferring the sum of \$35,000.00 from Code Account No. 1173, Index Code No. 117309, Recycling

Services, to Code Account No. 1160-1, Index Code No. 116012, Premium Pay, in the Department of Environmental Services. The transfer is necessary to cover the costs incurred as a result of the Saturday drop-off recycling centers.

Also,

No. 1668 Resolution transferring the sum of \$30,000.00 from Code Account No. 1168, Index Code No. 116806, Wages, Vacation, to Code Account No. 1180, Index Code No. 118000, Salaries and Wages, Regular Employees, Animal Control Division, in the Department of Environmental Services. The transfer is necessary to cover the vacancy allowance in the 1990 Budget.

Which were severally read and referred to the Committee on Finance.

Mr. Ferlo presented

No. 1669 Resolution authorizing the URA of Pgh. to file an amendatory application for financial assistance in the amount of \$3,398,000.00 with the Pennsylvania Department of Community Affairs for Phase I Rental Housing in the Crawford-Roberts Redevelopment Project Area. (COUNCIL DISTRICT NO. 6)

Also,

No. 1670 Resolution authorizing a First Amendatory Crawford-Roberts Phase I Rental Housing Cooperation Agreement with the URA of Pgh. providing for the designation and implementation of \$3,398,000.00 in certain developer private investment funds as the local matching share of a grant applied for in an amendatory application for financial assistance filed with the Pennsylvania Department of Community Affairs. (COUNCIL DISTRICT

NO. 6)

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Milliones presented

No. 1671 Resolution providing for the issuance of a warrant in the amount of \$10,650.00 to Nino R. Barcellino, Ethel L. Barcellino and Richard L. Barcellino c/o Stephen F. Capone, Esquire, 300 Allegheny Building, 429 Forbes Avenue, Pittsburgh, Pennsylvania 15219 in full settlement of a claim for an alleged De Facto Condemnation of the Barcellinos' property at Frankstown Avenue and Exley Way in the 13th Ward of the City of Pittsburgh, payable from Code Account 46, Judgments.

Also,

No. 1672 Resolution amending Resolution No. 1055 of 1990 entitled "Transferring the aggregate sum of \$7,500.00 from various code accounts to Code Account 50 Refunds - Sewage Charges, Index Code 005009, Department of Finance," by changing the code accounts from which funds are to be transferred.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by

providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed

Also,

No. 1673 Resolution transferring the sum of \$15,000.00 from Code Account 1063 (106302), Miscellaneous Services, to Code Account 1064 (106401), Supplies and Materials both accounts within the Department of Finance. Earlier in the year \$25,000.00 was transferred out of Code Account 1064 to Workers' Compensation to cover increased Workers' Compensation costs. Because of the transfer there now is insufficient funding in Code Account 1064 to finish 1990, and a transfer is necessary.

Also,

No. 1674 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, for certain jointly owned property in the 26th Ward, City of Pittsburgh, designated as all of Block 115 D, Lot 350 and Part of Blocks 115 D, Lot 314, 115 H, Lot 135 and 115 H, Lot 268, to the School District of Pittsburgh in connection with Perry Traditional Academy expansion and renovation. All closing costs and all costs of the Court proceedings to be paid by the School District of Pittsburgh.

Also,

No. 1675 Resolution authorizing the Mayor and the Director of Finance, on behalf of

the City of Pittsburgh, to transfer its rights, title and interest, if any, for certain jointly owned property in the 26th Ward, City of Pittsburgh, designated as Part of Block 115 C, Lot 341 and Part of Block 115 G, Lot 255, to the School District of Pittsburgh in connection with Perry Traditional Academy expansion and renovation. All closing costs and all costs of the Court proceedings to be paid by the School District of Pittsburgh.

Also,

No. 1676 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, "Fiscal", Article I, "Administrative", Chapter 201, "City Treasurer", Section 201.08, "Deposits, Reports, Accounts and Withdrawals", by amending subsection (g), "Wire Transfers", and adding new procedures.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1677 Resolution providing for a contract or contracts or the use of existing contract or contracts to purchase Saber II Radio Equipment for the Bureau of Police at a cost not to exceed \$17,068.00, chargeable to and payable from Code Account (PSPI), Index Code 251389, Bureau of Police, Dept. of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Regan moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this Wednesday.

Mr. Darkins seconded the motion.

Which motion prevailed.

Also,

No. 1678 Resolution providing for an Agreement or Agreements with Instructors to conduct yearly mandatory in-service training for police officers required by the Pennsylvania Municipal Police Officers' Education & Training Commission to be held at the Public Safety Training Academy, at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account (PSTA), Index Code (253450), Bureau of Administration, Department of Public Safety.

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 1679 An Ordinance amending Bill No. 637, approved November 7, 1990, entitled, "An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding Chapter 197, Code of Conduct - providing public officials and employees with a code of conduct, providing for education as to the same and establishing a Pittsburgh Ethics Hearing Board to adjudicate charges as to certain provisions hereof," by deleting the words in Section 197.11(b) "and the identity of the claimant". ---(**SPONSORED BY MR. RICCIARDI**)

Which was read and referred to the Committee on Finance.

Mr. Ricciardi moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this

Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed

Also,

No. 1680 Resolution authorizing the issuance of a warrant in favor of US Air Cargo, in the amount of \$1,910.91 in payment for the air freighting of zoo animals, chargeable to and payable from Code Account PZMTF, Pittsburgh Zoo Membership Trust Fund, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

UNFINISHED BUSINESS

Michelle Madoff:

Mr. President and Members of Council, I move to have Bill No. 637 reconsidered.

Mr. Ricciardi seconded the motion.

The Chair:

I have to rule that you cannot move to have that bill reconsidered because you voted in the affirmative. It must take someone, according to Robert's Rules, that voted in the negative on a piece of legislation.

Mr. Milliones:

So moved, Mr. Chairman.

Mr. Regan seconded the motion.

Michelle Madoff:

May we just change the procedure?

The Chair:

You now have the floor.

Mr. Regan:

Two of your loyal supporters jumped in there for you.

Michelle Madoff:

Thank you. I thought you wanted to change the process and have Mr. Ricciardi move to have 637 reconsidered.

Mr. Ricciardi, do you wish to --

Mr. Ricciardi:

Thank you. I'd like to pass this out.

Michelle Madoff:

We were advised by the Law Department how to do it so if we didn't do it right, don't blame us. We try hard.

Mr. Ricciardi:

Mr. President, I am now distributing an amendment I would like to make by deletion. 197.11 Investigations, to delete "and of the identity of the claimant".

Mr. Cohen seconded the motion.

The Chair:

All Councilmembers are aware of this but I was hoping one of you would explain what is happening here. Would you care to, Mr. Ricciardi, in regard to this being part of the Ethics Bill that passed Council last week? This being

part of the Ethics Bill that passed Council last week and this amendment was put on the floor. It did not pass; it had a 4-4 vote. The same amendment and the same bill can be reconsidered only at the next Legislative Meeting. It must be put on the floor by someone who voted against the amendment and you are now doing that.

Mr. Ricciardi:

Mr. President, I did vote against the amendment at the last meeting. The amendment was made by, I believe, Michelle Madoff and I'd like to put it back on the floor.

During the process of the bill in the later stages when it comes to the Hearing Board, there are two other sections where either the employee or the elected official will become aware of the claimant either through justification or frivolous suit. This will eliminate either the elected official or the employee or the director of knowing who the claimant is at the very beginning before the investigation has started.

I think it would be much more comfortable, relaxing and assuring for a person to remain with his name not to be used while the initial investigation is processing, continuing. It would do what we're doing across the country, Mr. President. We're all knowing that we should protect as much as we can, "whistle blowers". So, what we're trying to do is by deleting that clause.

The Chair:

Thank you, Mr. Ricciardi, for the clarification. Procedurally, Mr. Perry simply has to read another portion for the Record.

Mr. Ricciardi presents

No. 1679 An Ordinance amending Bill

No. 637 approved November 7, 1990, entitled, "An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, by adding Chapter 197, Code of Conduct, providing public officials and employees with a Code of Conduct, providing for education as to the same and establishing a Pittsburgh Ethics Hearing Board to judicate charges as to certain provisions hereof by deleting the words in Section 197.11 (b) "and the identity of the claimant".

Which was read.

The Chair:

That is simply an amendment to the bill that has passed. The amendment did not have a favorable vote; it was 4-4. Someone who had voted against it has proposed it; therefore, according to Robert's Rules, it is permissible.

Mr. Perry:

And it will be on the agenda a week from Wednesday.

Michelle Madoff:

Why don't we vote on it now?

Mr. Perry:

You can suspend Rule 8.

Michelle Madoff:

I move to suspend Rule 8.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

Okay, this will be on the agenda tomorrow, Mr. Perry, correct?

Mr. Perry:

Correct.

The Chair:

Thank you.

Mr. Cohen:

Point of Information, Mr. Chairman. Can this not be voted on today, Mr. President?

Michelle Madoff:

I think it can.

Mr. Cohen:

My understanding, at least from the Solicitor, is that it can.

The Chair:

It could be if it were proposed as an amendment. It is proposed as a whole new bill with an amendment.

Michelle Madoff:

No, it was proposed as an amendment, Mr. President.

Mr. Ricciardi:

I proposed it as an amendment by deletion. So, I believe we could vote on it today, Mr. President, according to the City Solicitor's Office.

The Chair:

Let's ask for a ruling from the Parliamentarian.

Parliamentarian:

After discussing this with the City Solicitor, she has ruled that there needs to be an entirely new vote on this piece of legislation.

Mr. Ricciardi:

I'm sorry, I was unable to hear him, Mr. President.

The Chair:

The Parliamentarian, at the advice of the City Solicitor, has ruled that there needs to be an entirely new vote on the piece of legislation.

Mr. Cohen:

Mr. President, I appreciate the Parliamentarian's view. The question is not whether there should be a vote; the question is when. I'd like to ask the Parliamentarian if that, given that all Members of Council are here today, if that cannot be done at this session today.

The Chair:

There really is no urgency here and there obviously is favorable opinion within Council for the passage of the amendment.

Based on the Solicitor's opinion, I think we should simply put it on the agenda tomorrow.

Michelle Madoff:

And then it doesn't come up again until next Tuesday and somebody might not be here. We're in agreement and I'd like to move that we

do it now.

The Chair:

Well, you cannot. The ruling has been that it comes up tomorrow.

Is there any other Unfinished Business other than that item?

Mr. Ferlo:

Mr. Chairman, several months ago we asked for information from the Administration regarding the complaints that are filed at the Mayor's Service Center and we wanted this information before we go into budget proceedings with the various department directors to review the complaints, the repetitiveness of the complaints, and the nature of the complaints. It has a lot to do with Public Works and Environmental Services and the like. I would respectfully request that information once again.

The Chair:

Mr. Perry, please request that information.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 1681

Report of the Committee on Finance for November 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1607

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A.H. Mathias & Company, Inc. in the amount of \$7,665.45 in payment of reproduction of records in connection with the transfer of the Saw Mill Run Interceptor Sewer to Alcosan; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1615

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants totalling One Thousand, Five Hundred and Twenty (\$1,520.67) Dollars and Sixty-Seven Cents for payment, without previous authority of law, to General Electric Supply, Jack Welch, C.E.O., General Electric Company, for the emergency purchase of a transformer for the #2 pump at Herron Hill Pumping Station, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1630

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$38,000.00 to Kimberly A. Nist, c/o H. Fred Mercer, III, Mercer, Mercer, Carlin & Scully, 1218 Frick Building, Pittsburgh, PA 15219 in full settlement of a claim for personal injury, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1631

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Citizen's Transport, Inc. in settlement of claim for vehicle damage."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1634

A Resolution entitled, "Resolution Repealing Resolution No. 180, Item D, approved March 6, 1990, which repealed Resolution No. 606, Item A, approved July 29, 1988, which authorized the sale of property in the 8th Ward, being a vacant lot 20' x 100', located at 4718 Juniper Street, designated as Block 26 H, Lot 67, to Thaddeus Fritz, for the sum of \$450.00."

Which was read.

Also,

Bill No. 1635

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984."

Which was read.

Also,

Bill No. 1565

A Resolution entitled, "Resolution transferring Three Hundred Sixty Three Thousand Dollars (\$363,000.00), Code Account CC, Community Communications Trust Fund, (Index Code 250555) to the General Fund, (Index Code 017939) City of Pittsburgh for reimbursement of indirect costs incurred by the Bureau of Cable Communications for 1990."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff

Mr. Wagner
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1682

Report of the Committee on Public Works for November 7, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1610

A Resolution entitled, "Resolution granting unto William T. Cahill Jr., 1628 Trinity Street, his successors and assigns, the privilege and license to construct, maintain, and use, at his own cost and expense, a sideyard encroachment on a portion of the right-of-way of Peggy Way and Lansing Way in the 10th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1611

A Resolution entitled, "Resolution vacating An-niston Way between Forsythe Street and Meirsch Street, also reserving 6" water line and 15' easement in the 27th Ward, 1st Voting District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1648

A Resolution entitled, "Resolution providing for a sewage service agreement with the Allegheny County Sanitary Authority, Collier Township and the Collier Township Municipal Authority."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1683

Report of the Committee on Planning, Housing and Development for November 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 362

A Resolution entitled, "Resolution providing for the designation as a Historic Site under Section 513 of Chapter 1007 of the Code of Ordinances the Allegheny Commons Parks, also known as West Park, North Park, and East Park on the North Side, 22nd Ward, City of Pittsburgh."

Which was read.

Mr. Ferlo:

I'm all in favor of this resolution to designate the park a historical park and a historical district. However, I really believe in my heart and also listening to the testimony at the public hearing that a greater issue affecting the park is the preservation and the restoration and maintenance of the tree population that exists in the park.

I hope that in approving this today that we don't have smoke and mirrors from the Administration but that they will sincerely review the tree maintenance program that has been drafted by the community. There was an effort there logging in and detailing every tree, the life expectancy of the tree, the quality of the tree, what kind of rehabilitation needs to take place regarding the trees in the West Park. I hope that the Administration will take that to heart and come forward with a plan.

We can designate the park as a historical park but it's not going to mean anything unless we retain the beauty of the park as experienced with the magnificent trees and foliage that exists in this area.

The Chair:

Is there any further discussion on the

bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1684

Report of the Committee on General Services for November 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1654

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Saber II Radio Equipment for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1685

Report of the Committee on Engineering and Construction for November 7, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1608

A Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Baxter Playground Rehabilitation Project; providing for the execution of a Grant contract and for the filing of requisitions and other data; approving

the Renovation, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the deposit of funds into Unrestricted Cash."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1690 Resolution appointing Jeffrey K. Thomas, 127 Richey Avenue, Pittsburgh, Pennsylvania 15214, to the Minority and Women Business Enterprise Review Committee for a term effective immediately and to expire April of 1992.

Which was read, received and filed.

The Chair:

I'd like to ask that Mr. Thomas come in front of Council as soon as possible to fill that vacancy.

Mr. Millions:

Tomorrow?

The Chair:

Tomorrow if possible.

Mr. Ferlo moved to approve the Minutes of Tuesday, October 30, 1990.

Mr. Cohen seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Millions**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, November 20, 1990

No. 45

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL FERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, November 20, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Cohen:

Good morning, everyone. Would Margaret Tauxe come up to the podium, please?

Mr. Cohen presents

No. 1725 WHEREAS, now that the Cold War is over and democratic processes are emerging throughout Eastern Europe and the Soviet Union, there is no longer justification for escalating the U.S. - Soviet nuclear arms race, the two countries already possessing 60,000 nuclear weapons between them; and

WHEREAS, both the United States and the Soviet Union continue to explode nuclear warheads underground in order to develop new, more advanced nuclear weapons; and

WHEREAS, nuclear test explosions by the United States and the Soviet Union encourage the spread of nuclear weapons to other countries and seriously hamper their efforts to curb nuclear proliferation; and

WHEREAS, nuclear test explosions allow the development of costly new weapons at a time of huge deficits and tough budget choices, thus draining much needed resources from our cities and states; and

WHEREAS, the radioactive contamination from nuclear test explosions has left several

areas of the United States, Soviet Union, South Pacific and China unfit for human, animal and plant life; and

WHEREAS, an opportunity to ban nuclear testing in 118 countries will occur January 7-18, 1991 in New York, namely a Test Ban Treaty Conference to amend the 1963 Partial Test Ban Treaty, which will include the banning of underground testing.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh calls upon President Bush to join other nations in a mutual and verifiable suspension of nuclear testing and to instruct his negotiators at the Test Ban Treaty Conference to work with urgency for approval of a Comprehensive Nuclear Test Ban Treaty; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh calls upon the Members of the Pennsylvania Congressional Delegation to support Joint Senate - House Resolution #287 which urges that President Bush take these steps to achieve a Comprehensive Nuclear Test Ban Treaty.

Mr. Cohen moved to adopt the resolution

Mr. Coyne seconded the motion.

The Chair:

Is there any discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Michelle Madoff

Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Millions
Mr. Wagner
(Pres't)

AYES 7

NOES none

(MR. REGAN AND MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

Mr. Cohen:

Thank you, Members of Council; I appreciate it.

This is a very important resolution. There are several reasons for supporting a Comprehensive Nuclear Test Ban Treaty; environmental, budgetary. But most important of all is the cause of peace.

I'm very happy to have with me today Margaret Tauxe who is the past President of Peace Links, a very active organization which participates and promotes the cause of peace. She and her husband, Dr. Tauxe, just recently came back from an International Test Ban Conference and I'm happy to ask her to speak to us today.

Mrs. Tauxe:

I want to say how much I appreciate the Council for passing this resolution and I salute your understanding of how global issues, national issues, impact on the local issues. It's very, very important.

The Western Pennsylvania Campaign For Comprehensive Test Ban has been organized as a campaign in order to increase support for this conference which was called by 118 na-

tions who have been the signatories of the original partial Test Ban Treaty.

It was understood at that time that the moment it became possible to verify any abrogation of this treaty, that it would move to a total test ban treaty. That time has long been passed.

Unfortunately, our present administration is not enthusiastic about supporting this for reasons of their own. So, it really has to be a ground swell effort of people rising up and saying this is what we want.

I think it is particularly important for people on this Council, and obviously they do, to understand the economic impact of this issue.

In the new budget, you probably noticed, that it was divided very much into a tri-apartheid grouping and there are domestic budget, a military budget, separated. It just so happens that nuclear testing comes under the domestic because the Department of Energy is financed under the domestic budget. Funds that are spent on this totally unnecessary testing program are coming out of your bridges, coming out of your children's support for schools. That's where it's coming from.

I'm sure you don't know this. I didn't know this before, but each test costs between \$30 million and \$70 million. Each one. And on the 15th of this month we conducted one for Great Britain. They don't have anyplace to blow their bombs up.

Every year it costs us a minimum of \$700 million. And if this program is discontinued, we stand to gain \$10 billion overall. It seems to me it's obvious that we can't keep just blowing up dollars in the desert and I want to thank you for supporting this.

Mr. Cohen presents

No. 1726 WHEREAS, Barbara K. Shore serves as the Director of the Doctoral Program at the University of Pittsburgh's School of Social Work; and

WHEREAS, Dr. Shore has dedicated herself to serve the public in such diverse roles as: President of the Stanton Heights Civic Association; Chairperson of the Human Relations Task Force of the United Jewish Federation; Chairperson of the Allegheny County Children & Youth Services Task Force; Founding Co-Chair of the Children's Lobby of Western Pennsylvania; Founding Member of the Center for Victims of Violent Crime; and member of other groups too numerous to mention; and

WHEREAS, Dr. Shore has received many awards, including Pennsylvania Social Worker of the Year, Pitt School of Social Work Distinguished Alumni Award, Persad Center Award of Appreciation, Pittsburgh Woman Magazine Woman of the Year, YWCA Woman of Distinction, National Council of Jewish Women Hannah G. Solomon Award, National Council of Christians and Jews Humanitarian Award, Martin Luther King Award, and Kids Need Heroes Award; and

WHEREAS, Dr. Shore is to be honored by Governor Robert Casey on November 27, 1990 as a Distinguished Daughter of Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby declares Dr. Barbara K. Shore a Distinguished Person of the City of Pittsburgh in recognition of her invaluable contributions she has made to the residents of the City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares

November 27, 1990 as "Dr. Barbara K. Shore Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Regan:

Councilman, one day isn't enough for that lady. Give her three or four days.

Mr. Cohen:

That's true.

Michelle Madoff:

Let's give her a week.

Mr. Cohen:

How have you had any free time on your hands?

This is a real honor for me. Dr. Shore has made, as you heard, numerous contributions to this City. I know all of you have worked with Dr. Shore on numerous activities in the past.

I have had the privilege to sit with Dr. Shore on a couple of committees and it seems that whenever Dr. Shore decides to speak on an issue, people on the Committee seem to lean a little bit closer and listen a little bit more intently because Barbara Shore always knows what she's talking about and she has really made a tremendous contribution.

Dr. Shore:

Good morning, everyone. I thank you for what is a wonderful honor.

Certainly the work that all of us do, and as I look around this room I see so many of us that participate in efforts in a variety of areas know that we don't do those things hopefully for the rewards we get but rather because the quality of life and the importance of bringing all of us together to improve that quality of life for our City, our County, our State, our nation, and indeed internationally, is so very, very crucial.

It is wonderful to be able to work in those areas that seem important to all of us as improving the quality of life, the dignity for human beings, the possibility of people maximizing their potential, being able to realize their fullest potential in every way possible is a wonderful opportunity. I've always felt fortunate to be in a field where my work becomes part of one's mission, and that's very fortunate when one can have that opportunity.

It also means that all of us together have become good friends, good supporters of each other, are able to work together to further improve the quality of life for all of the residents of our City.

I think we know that Pittsburgh is a very special City, but we know we have lots of problems still to be tackled. And I would pledge myself to tackle all of those in the future as we have attempted to do together in the past and hope that we together can begin to make Pittsburgh more and more special for all of the citizens of our City and of our County and of the Commonwealth in which we live.

I thank you so much for this honor. It's marvelous. And I'm just very, very pleased to be honored for doing that which is so self-enhancing and so self-validating and to have all of you as my good colleagues in that effort. Thank you ever so much.

Mr. Darkins:

Mr. President and my colleagues on Council, I'd like to ask Mrs. Wade to come forward and her brother, the attorney, and his wife, if you'll come forward. And I believe you have some guests from out of town with you today from New York. Your aunt. Please come forward.

After looking over all of the resolutions that are going to be given today, it looks like we should call this Women's Day here in City Council because it looks like we're honoring women.

Mr. Darkins presents

No. 1727 WHEREAS, Mildred Wade is one of the most accomplished African American women in the City of Pittsburgh; and

WHEREAS, Mildred Wade has been a positive influence in the lives of young people by dedicating over 22 years of her career to the development of children while at Louise Child Care Center; and

WHEREAS, Mildred Wade holds a Masters of Arts Degree in Education from Tuskegee University, a Bachelor of Arts Degree in Education from Pitt and is a graduate of Schenley High School; and

WHEREAS, Mildred Wade has been listed in Who's Who among American Women and Who's Who among Black Americans; and

WHEREAS, Mildred Wade has served on many boards and with countless organizations such as the Sickle Cell Society of Western Pennsylvania, the NAACP, the Urban League of Pittsburgh, the National Conference of Christians and Jews, the National Council of Negro Women, the Kingsley Association, the Wesley Center AME Church and the Delta Sigma Theta

Sorority; and

WHEREAS, Mildred Wade is a woman most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims November 24, 1990 as "Mildred Wade Day" in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Darkins:

Mrs. Wade, would you like to say something?

She's quite a lady in this town, fellows. Michelle, she's quite a lady in this town.

Michelle Madoff:

If you sponsor her, she has to be.

Mrs. Wade:

First I'd like to say a special thanks to Councilman Darkins who feels that whatever I am doing is worthwhile in this community. And I want to thank you for voting also to present this resolution to me today.

Whatever I have done, if I've done anything, has not been for love of self; it has been for the love of people. And I promise you that, as I leave this room, I shall continue to do whatever I possibly can to improve upon the quality of life of my fellow African-Americans as well as for the entire citizenship of Pittsburgh. Thank you very much.

Mr. Ferlo:

Mr. President, I'd like to ask the representatives from the Jene-Magers Post and from the community organization to come forward, and Public Works, and all the other folks.

Mr. Ferlo presents

No. 1728 WHEREAS, the Garfield Veteran's Honor Roll Memorial was dedicated following World War II to honor the men and women of the Garfield community who served so heroically in the fight against fascism; and

WHEREAS, over the years the Memorial Monument suffered from vandalism, deterioration, and outright neglect by the City and the community at large; and

WHEREAS, the Jene-Magers Post 278 of the Veteran's of Foreign War and the Bloomfield-Garfield Corporation joined forces to spearhead a community and public effort to relocate, restore and re-dedicate this historic community treasure; and

WHEREAS, City Council's contributions of public funds was equally matched by private donations from Post 278 to create a restoration fund of over \$7,000; and

WHEREAS, in-kind contributions of materials, land and labor were donated by the following: St. Lawrence O'Toole Church (site and on-going maintenance), Mr. Bob Yeske of the 43rd Street Concrete Company, Allegheny Plywood (lumber), Bloomfield-Garfield Corporation (shrubbery), Allegheny County (programs and plaques), Carlini Brothers (monument restoration and re-location); and

WHEREAS, a dedicated core of citizens expended a great number of hours coordinating and executing this project including Mr. Ray-

mond A. McGill, Service Officer, V.F.W. Post 278, Richard Swartz, Director, Bloomfield-Garfield Corporation, Joseph A. Pulgini, Director, Allegheny County Department of Veteran's Services, and the Reverend Father James G. Graham of St. Lawrence O'Toole Church, Patrick Sergi, Joseph A. Wehrheim, Joseph Wolff, Walter Kulas, Mickey Joyce, Ray Fern, Bill Reynolds and Leonard A. Miller; and

WHEREAS, a dedicated core of community volunteers donated their free skilled labor including Mr. Pat Byrne, Nick Tutich, Tom Brose, Sr. Vincenzo Acierno, Don Reismeyer, Bill Dedig, Agnes Brose, Louis Acierno, Tom Rini, Willie Jackson and Ken Walsh who worked tirelessly to restore and re-dedicate one of the most beautiful Veteran's memorial monuments in our City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh extends a special salute and thank you to all the volunteers and supporters who did not forget the heroic contributions of our veterans; and

BE IT FURTHER RESOLVED, that the Council declares Saturday, November 24, 1990 as "Veteran Appreciation Day" in our City and urges all citizens to visit the Garfield Honor Roll located on Penn Avenue and contribute in any appropriate manner to further restoration of veteran's monuments located in the neighborhoods throughout our great City.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you very much.

To my left, we have Aggie Brose who is no stranger to Council Chambers, representing the Bloomfield-Garfield Corporation. And we're very honored to have a delegation from the Jene-Magers Post here this morning. We have Bill Reynolds who is the Post Commander; Ray McGill, the Service Officer; Patrick J. Sergi who is the past Director and Commander, and we have Ray Fern. We also have a Public Works employee, Pat Byrne down on the end; he didn't want to speak today. But Public Works and Pat himself from the community worked very hard on the monument. And to his right is Vincenzo Acierno who also volunteered his skilled labor for this monument.

I'd like Aggie and possibly Mr. McGill or one of the Commanders to say a few words. Thank you.

Mr. McGill:

I would like to thank the City of Pittsburgh for the appropriation of the funds for this memorial. It was over on the Giant Eagle site and was moved across to St. Lawrence's property. And I'm sure without this appropriation and the funds gathered, this monument would have been gone.

People don't realize what a monument means to people like us. The day we dedicated that monument, I saw all these old guys that are still living up there bring their sons and the grandchildren down there and say, "Here is my name on this monument."

Some of those plaques are gone and will never be recovered, but the monument looks beautiful and we want to thank everybody that had a hand in taking care of this.

My name is on that monument. My brother's name is on the monument. And I had

one brother retire last year from the Maritime Commission with 50 years service, and his name is on that monument. Thank you very much.

Mr. Ferlo:

I'd like to get Pat Byrne up here just to say thank you to his fellow workers. Pat's an employee in the Public Works Department.

Mr. Byrne:

I'd like to thank City Council for supporting this resolution and for raising half the funds that they matched the money with the Jene-Magers Post.

I'd also like to thank Aggie Brose. Without her, none of this would have gotten off the ground. Councilman Ferlo and my fellow workers, Vince, Willie Jackson, Ken Walsh, Tom Rini, and there's a few others I can't think of right now.

But I didn't have a problem volunteering my service. My father's name is on this memorial, both of my uncles are on it, and when it comes to something like that, they just forget about everything else and you're willing to lend a hand. That's about it and I'd like to thank Council.

Commander:

On behalf of the people that we represent, the Veterans of Foreign Wars, the Jene-Magers Post 278 and the neighbors of the Garfield area, you really don't know how much everybody appreciates and acknowledges with grateful thanks the support that we received from City Council. You made everybody in our neighborhood, in our area, feel very good that this monument was restored and it could not have been done unless we had the support of all you people. Thank you very much.

Mr. Ferlo:

I'd like to personally extend a thank you to our Council President, Jack Wagner, who several years ago first raised this whole issue of appropriating a small amount of money in the Parks budget to begin restoration projects throughout the City of various veterans' monuments.

Unfortunately, this was the only project that successfully matched community and that pot of money that Council put into the budget and it's my hope that this coming year we'll re-appropriate that pot of money and urge the Parks Department and the Administration to work with neighborhood-based organizations and veterans' groups to work on other monuments. God knows we have enough of them around the City that needs to be restored. But I want to thank President Wagner for his leadership on this whole issue.

At this time, I'd like the representatives from the Community Savings Association to come forward.

We have a great institution in the Lawrenceville community that we sort of stole out of the Old Allegheny City, from Councilman Regan's district. But I don't think he'll be too upset.

This is Mr. Ken Tyson; he's President of the Community Savings Association and Debbie Starr who is the Branch Manager in Lawrenceville.

Mr. Ferlo presents

No. 1729 WHEREAS, Community Savings Association was started in the 1880's in the old City of Allegheny which has now become the Northside of the City of Pittsburgh;

and

WHEREAS, the City of Allegheny at that time represented a mixture of grand homes and undeveloped lots and built itself up to a great city with a true sense of community and provided the greatest opportunity for the forerunner of today's Community Savings Association to become one of the most important financial institutions in the City of Allegheny; and

WHEREAS, soon after World War I and a generation later Community Savings settled in Lawrenceville, a community of established homes, stores and factories along the south bank of the Allegheny River; and

WHEREAS, the people of Lawrenceville then, as well as now, enjoyed a reputation for hard work and a profound sense of family and community and quickly supported Community Savings when it opened its Lawrenceville office back in January of 1922; and

WHEREAS, Community Savings Association has grown to be one of Pittsburgh's fastest growing thrift institutions, with 12 offices, over 100 employees and \$320 million in assets; and

WHEREAS, Community Savings' first century can be attributed to the loyalty of their customers during good times and bad and they are now celebrating their One Hundredth Anniversary.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the officers, employees and customers of Community Savings for their dedication and commitment to our great City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims

Wednesday, November 28, 1990 as Community Savings Association Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you. I'd like to call on Ken Tyson, the President of the Savings Association, to say a few words. I personally am not a customer at Community Savings; maybe I will be in the future. But I do know this bank because I've worked very recently with Debbie Starr, to my left here, helping to pull together one of the largest community-wide events in Lawrenceville and that was the Halloween Parade. I've never seen a person work so hard and all of the employees of the bank coming out and working so hard on that community event. So, I know it's an important organization in the community.

At this time, I'd like to ask Mr. Tyson to share a few thoughts with Council.

Mr. Tyson:

Jim, I just happen to have a signature card here to sign you up as a customer.

On behalf of all the employees, officers and directors of Community Savings, I do want to thank Council for this great honor. We have been around for 100 years. I have personally been involved with Community Savings for 38 years as of February 1st. We have three offices within the City of Pittsburgh, all which are community offices. We have no office Downtown. We serve our communities and the people in our communities. We look forward to doing this in

the future and with your help and with God's help we shall continue to do this. Thank you very much for this great honor.

Michelle Madoff:

Do you have low rates on mortgages?

Mr. Tyson:

We are hoping to get low rates on mortgages. We have been lowering rates on mortgages over the last couple of months. That's what makes this country good. Thank you very much.

Mr. Ricciardi presents

No. 1730 WHEREAS, on Saturday, November 17, 1990, the South Side Chamber of Commerce will honor District Justice Nancy L. Longo as their Community Service Awardee; and

WHEREAS, Nancy Longo is a Board Member of the South Side Chamber of Commerce and is involved in several other aspects of the Chamber of Commerce; and

WHEREAS, Nancy Longo is also an active Member of the Arlington Civic Council, the Arlington/South Side Slopes Block Watch, the South Side Community Council and the South Side Lions, as well as a Member of the Board of Director of Brashear Association, a parishioner of St. Michael's Church and an advisor to the Zone 3 Police Citizens Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates District Justice Nancy L. Longo for her selection as the South Side Chamber of Commerce's Community Service Awardee and salutes her for her involvement in many local organizations.

Mr. Ricciardi moved to adopt the resolution.

Mr. Regan seconded the motion.

Which motion prevailed.

Mr. Ricciardi presents

No. 1731 WHEREAS, on Saturday, November 17, 1990 the South Side Chamber of Commerce will honor Hugh J. Brannan, III, Executive Director of Brashear Association, as its "1990 Man of the Year"; and

WHEREAS, Hugh Brannan was unanimously chosen "Man of the Year" by a committee of past awardees; and

WHEREAS, Hugh Brannan was selected for this honor based upon his service and dedication to the South Side Chamber of Commerce, as well as his commitment to several other local organizations; and

WHEREAS, Hugh Brannan has been a member of the Board of Directors of the South Side Chamber of Commerce for eight years and is currently its Third Vice-President; and

WHEREAS, Hugh Brannan serves as the Executive Director of both Brashear and Allentown Senior Centers; and

WHEREAS, Hugh Brannan serves as Vice President of the Allentown Civic Association; Treasurer of the Community Technical Assistance Center; Treasurer of the South Pittsburgh Economic Revitalization Team; past President of the Federation of Allegheny County Aging Services Providers; Chairman of the South Side Planning Forum and of the Salvation Adult Rehabilitation Center Advisory Council; and

WHEREAS, Hugh Brannan also serves as a Board Member to the following organizations: Hilltop/Mount Washington Meals on Wheels and Hunger Services Network, the Mayor's Commission on Families and the South Side Local Development Company, as well as being a Member of the Northern/Southwest Communities Mental Health/Mental Retardation Advisory Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby salutes Mr. Hugh Brannan, III, for his service and dedication to many local organizations and congratulates him on his selection as the South Side Chamber of Commerce's "Man of the Year" for 1990.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

This morning I'd like to invite up our honorees, Mr. John Sobocinski and his wife, Alice, and their guests this morning, Michelle Balzer and Joe Chardello.

This is a joint resolution presented by Council President Jack Wagner and myself.

Mr. Ricciardi and Mr. Wagner present

No. 1732 WHEREAS, in December of 1979 Mr. John Sobocinski, a resident of the South Side and a veteran of World War II, constructed a Unity Flag on the roof of his Sarah Street home to provide encouragement to the hostages in Iran; and

WHEREAS, the flag has been maintained for the past 11 years by Mr. Sobocinski

and his wife, Alice, and has served as a symbol of their patriotism; and

WHEREAS, Mr. Sobocinski is once again utilizing the roof top Unity Flag through photographed post cards which will be mailed to service people in the Persian Gulf.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes and commends Mr. John Sobocinski and his wife, Alice, for their undying patriotism and asks all Pittsburghers to participate in the Unity Flag Post Card Project for the men and women serving in Operation Desert Shield.

Mr. Ricciardi moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you, colleagues. I'd like to now ask Mr. Jack Wagner, our President, who is sponsoring this resolution with myself, to please say a few words.

The Chair:

Thank you, Councilman Ricciardi, Mr. Sobocinski and family and friends. It's an honor to present this resolution and today we've actually had three resolutions that deal with patriotism; the one by Councilman Cohen relating to a nuclear test ban, the one by Councilman Ferlo in regards to the Veterans' War Memorial in Garfield, and your resolution. I think they all tie together because they all really mean that we care about Americans and we care about preventing wars in this country and supporting people that serve for our country.

You did that back 11 years ago when we had some hostages in Iran. That flag really was a unique idea on your roof. Anyone who hasn't seen it, it's in a post card form and Mr. Sobocinski is encouraging that Americans send the post card to actual military people that are serving in the Middle East today, to show them that we care about them and we support them.

So, we thank you for doing that. We thank you for your patriotism, for your involvement for 11 years, and I'm sure you'll be there in the future. We'd like you to share a few words with us.

Mr. Sobocinski:

First of all, I'd like to thank everybody involved and all the people who helped me in this program.

Perhaps I can show one of the post cards that we're sending out to the troops in the Persian Gulf. We have mailed approximately 3,000 of these cards and all we ask people to do is to jot down a short message on the back of the card. We do the rest. We'd like the cards returned to us so that we can keep an accurate count of how many we mail out to our troops.

Michelle Madoff:

Where do we get the cards?

Mr. Sobocinski:

I'll have Michelle announce that in a few minutes here, where the cards can be picked up or where people can stop to have them filled out.

It's difficult for me to talk when I get choked up so I'm very glad that I have Michelle to lean on. She's been so much help to me that I can never thank her enough. And I want to thank Jack Wagner. If I try to thank each and every in-

vidual involved, I'd have to be here for two days.

So, once again, I thank everybody very kindly.

Ms. Balzer:

Good morning. It's wonderful to be here as always.

On behalf of State Representative Frank Gigliotti I'd like to thank Councilman Wagner and Ricciardi for this resolution this morning. I'd also like to thank John for involving our office in this wonderful project. It continues to be a labor of love for the thousands of people who have taken pen in hand and sent an encouraging message to those serving our country in the Persian Gulf.

The cards can be obtained at 2023 East Carson Street which is our district office. We've had the opportunity to pass those out to school children, college students are participating, senior citizens are walking in and picking up cards and taking them to their groups. There are a million ways that we can send a clear message that we're behind our military personnel.

The other thing we're asking for help for is, if anyone is interested in donating to this project, so far John has borne the cost of the cards and the postage, we've since set up a P.O. Box which is 42288, Pittsburgh, 15203. This will continue the project. We need the volunteers and we need the donations to make sure that we can continue Operation Desert Shield.

Again, I thank all of you. It's a pleasure to be here.

And, John, you're a wonderful volunteer, as all the volunteers are in Pittsburgh which really makes it someplace special. Thank you.

The Chair:

John is going to drop some cards off through Gene's office and distribute them through our offices. Thank you all very much.

Mr. Cohen presented

No. 1691 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11, by changing: From "R5-H" Multiple-Family Residence District to "C3-H" Commercial District all that certain property bounded by: CENTRE AVENUE; Lot No. 308, Block 51-H in the Allegheny County Block and Lot System; COMMERCE STREET, Lot No. 272, Block 84-E in the aforesaid System, 8th Ward, Council District No. 8.
---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Coyne presented

No. 1692 Resolution providing for an agreement of lease with M. Berger Land Company of certain indoor and outdoor space located in and around 403 Bingham Street, Pittsburgh, PA 15203, 17th Ward, for an initial term of five (5) years; for the purpose of securing space to be used for conducting tow pound activities and the storage of vehicles by the City of Pittsburgh and the Dept. of Public Safety, subject to and contingent upon the annual appropriation of funds for the said agreement of lease, chargeable to and payable from Code Account Tow Pound Trust Fund, Dept. of Public Safety.

Which was read and referred to the Committee on General Services.

Mr. Darkins presented

No. 1693 Resolution amending Res. No. 279, effective March 21, 1990, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof," by decreasing the total allocation by \$95,000.00.

Which was read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed.

Also,

No. 1694 An Ordinance amending the City Code Title Four-Public Places and Property: Article I-Streets and Sidewalks, Chapter 415.01(B) Permit and Bond Required, Section 415.02(A) Permit Fee-Basis of Measurement; Chapter 416 Obstructions, Section 416.02 Permit Fees for Minor Street Obstructions Section 416.04 Permit Fees for Street Encroachments and Major Street Obstructions; Chapter 419 Section 419.09 Destruction of Monuments or Benchmarks. Because of the additional cost incurred by the City in the granting of these permits and the inspection required, the additional fee is requested.

Which was read and referred to the Committee

on Public Works.

Mr. Ferlo presented

No. 1695 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12, by changing: From "I-C" Institutional-Civic District to "C4" Commercial District, all that certain property bounded by: FORBES AVENUE; CRAFT AVENUE; FIFTH AVENUE; and the "C4" Zoning District boundary line located between HALKET STREET and CRAFT AVENUE, 4th Ward, Council District No. 6.

Also,

No. 1696 An Ordinance amending the Pittsburgh Code, Title Five - Traffic Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, by providing for an increase in the cost of the permit from ten dollars (\$10.00) a year to Twenty Dollars (\$20.00) a year.

Also,

No. 1697 Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council, to purchase equipment and supplies for the Bloomfield Senior Center located at 4736 Liberty Avenue, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1983 CDBG Program, "Unspecified Local Options". --- (SPONSORED BY MR. FERLO)

Also,

No. 1698 Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council, to assist the Lawrenceville Block Watch Network in their

education and outreach expenses, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1983 CDBG Program "Unspecified Local Option". ---**(SPONSORED BY MR. FERLO)**

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1699 Resolution authorizing the transfer of \$135,000.00 from the JTPA-1 Trust Fund to the General Fund of the City of Pittsburgh's PSC-JTPA Indirect Reimbursement Cost Account, for reimbursement of indirect costs of the Job Training Partnership Act Program for prior fiscal years.

Also,

No. 1700 Resolution authorizing the sale of 19,531.12 square feet of City property, which is part of Lot 97, Block 5S, in the 20th Ward of the City of Pittsburgh, adjoining the property located at 1020-1040 Saw Mill Run Boulevard, for a purchase price of \$1,375.00 to American Catalogue Company, Ben Malamude, Dolores K. Gluck, and Sarah P. Kaudman.

Which were read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed

Also,

No. 1701 Resolution providing for the issuance of a \$1,126.35 warrant in favor of Dan Kinney in settlement of claim for vehicle damage to parked 1984 Subaru on June 28, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 1702 Resolution providing for the issuance of a \$2,783.59 warrant in favor of James T. Marine in settlement of claim for vehicle damage caused by a Department of Public Works vehicle at Greenfield Avenue and Ronald Street on June 25, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 1703 Resolution providing for the issuance of a \$1,500.00 warrant in favor of David R. and Beverly A. Meyers in settlement of claim for property damage to their property at 2903 Stayton Street due to a malfunction in a City of Pittsburgh fire hydrant on April 24, 1990, payable from Code Account No. 46, Judgments.

Also,

No. 1704 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Duane G. and Linda Spiker in settlement of claim for vehicle damage to their parked 1989 Plymouth Voyager on October 16, 1989, payable from Code Account No. 46, Judgments.

Also,

No. 1705 Resolution providing for the issuance of a \$1,185.00 warrant in favor of Tamir Shaheed for reimbursement of plumbers

expenses in locating a blockage in the City sewer line, payable from Code Account No. 46, Judgments.

Also,

No. 1706 Resolution providing for the issuance of a warrant to Sharon L. Brentley and Mark A. Brentley, her husband, in the amount of \$15,000.00 in full settlement of claim for personal injuries arising from a falldown in the street adjacent to 2643 Maple Avenue in the City of Pittsburgh on December 18, 1984, payable from Code Account No. 46, Judgments.

Also,

No. 1707 Resolution amending Res. No. 59 of 1990 entitled "Providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Dept. of Personnel and Civil Service Commission's 1990 written, performance and promotional examinations administered by the Dept. of Personnel and Civil Service Commission and providing for the payments thereof," by increasing the allocation by \$5,000.00, from \$2,000.00 to \$7,000.00, chargeable to and payable from Code Account No. 1100 (110007), Misc. Services, Dept. of Personnel and Civil Service Commission.

Also,

No. 1708 Resolution providing for an Agreement or Agreements for stenographic reporting services in connection with public hearing(s), at a cost not to exceed \$2,500.00, chargeable to and payable from Code Account No. 1035, Misc. Services, (Index Code 103507), Commission on Human Relations.

Also,

No. 1709 Resolution authorizing the implementation of a Visa/Mastercard payment program for traffic and parking violations collected by Traffic Court. The Chief Magistrate is authorized to institute other rules and regulations that she deems necessary to implement the program.

Also,

No. 1710 Resolution authorizing the Mayor and Chief Magistrate to enter into an Agreement or Agreements with a bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Traffic Court for payment of traffic and parking violations, at a cost not to exceed \$10,000.00, chargeable to and payable from Code Account 1023, (102301), Misc. Services, Pittsburgh Magistrates Court.

Also,

No. 1711 Resolution Repealing Resolution No. 763, Item I, approved July 27, 1990, which repealed Res. No. 965, Item K, approved December 19, 1988, which authorized the sale of property in the 27th Ward, being a vacant lot 26.75' x 96', located at 1601 Forsythe Street, designated as Block 44-D, Lot 257, to Pittsburgh Factors Company, for the sum of \$350.00. The reason for repealing Item I of Res. No. 763 is that the Title Report was received after the Forfeiture proceedings were initiated.

Also,

No. 1712 Resolution providing for the filing of a petition or petitions for the sale of certain properties in various Wards of the City of Pittsburgh, acquired at tax sales in accordance with Act No. 171 of 1984.

Which were severally read and referred to the Committee on Finance.

Mr. Regan presented

No. 1713 Resolution authorizing the transfer of \$50,000.00 from Code Account 1173, Index Code (117309), Recycling Services, Dept. of Environmental Services to Code Account 1461-3, Index code (146134), Longevity, Bureau of Fire, Department of Public Safety. This transfer is necessary to cover longevity for the Bureau of Fire for the remainder of 1990.

Which was read and referred to the Committee on Finance.

Also,

No. 1714 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Tow Pound Trust Fund, for deposit of fees collected for towing, storing and immobilizing vehicles, and authorizing the use of the fees deposited therein by the Bureau of Administration, Dept. of Public Safety to be used for pay invoices and any and all expenses related to the City Tow Pound operation. Upon the direction of the Director of Finance, the City Controller shall transfer on a quarterly basis from the Tow Pound Trust Fund to the General Fund, Public Safety's Miscellaneous Rentals and Charges.

Also,

No. 1715 An Ordinance supplementing the Pittsburgh Code, Title Five-Traffic, Article III-Towing Chapter 523 by setting fees for release of vehicles.

Also,

No. 1716 An Ordinance amending and

supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles I, III, V, VII, IX, Chapter 701.16 Penalty, Chapter 713 Pawn Brokers, Chapter 715 Junk Dealers, Chapter 717 Antique or Second Hand Dealers, Chapter 719 Vendors and Peddlers, Chapter 721 Transient Merchants, Chapter 723 Trade Fairs, 745 Written Examinations, Chapter 763 Parking Lots, Chapter 765 Commercial Refuse, Chapter 771 Amusement Places and Producers, Chapter 773 Sunday Activities, Chapter 777 Mechanical Amusement Devices and Chapter 779 Public Dance Halls and Dances by increasing or decreasing certain fees.

Which were severally read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 1717 Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, effective January 1, 1991.

Also,

No. 1718 Resolution authorizing the Director of the Department of Parks and Recreation to increase fees and charges at the Schenley Park Golf course, effective January 1, 1991.

Also,

No. 1719 Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1991.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 1720 Communication from Charles Blocksidge, Ph.D., Director of Assessments, Board of Property Assessment Appeals & Review, submitting the estimated total assessment of land and buildings for the City of Pittsburgh, applicable to the year 1991. Land - \$369,877,979.00, Buildings - \$1,728,696,411.00, Total - \$2,098,574,390.00.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 1690 Resolution appointing Jeffrey K. Thomas, 127 Richey Avenue, Pittsburgh, Pennsylvania 15214, to the Minority and Women Business Enterprise Review Committee for a term effective immediately and to expire April of 1992.

Which was read.

Michelle Madoff:

Excellent appointment.

Mr. Darkins:

Great appointment.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Jeffrey K. Thomas was approved.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1721

Report of the Committee on Finance for November 14, 1990 transmitting sundry resolutions and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1632

A Resolution entitled, "Resolution approving the Second Amendment to the sublease by and between the Public Auditorium Authority of Pittsburgh and Allegheny County and Civic Arena Corporation."

Which was read.

Also,

Bill No. 1633

A Resolution entitled, "Resolution consenting

to the use of revenues of the hotel tax to pay for the costs of certain improvements to the Civic Arena."

Which was read.

Mr. Ferlo:

I strenuously object to both of these pieces of legislation, specifically on the reimbursement with the hotel tax revenues of close to \$2 million going to the Civic Arena Corporation for repairs previously made unauthorized. I oppose that and I think a better use of that money would be the allocation of dollars to the Convention Center, repairs and renovations, possible expansion or possibly utilizing those hotel tax revenues for promotional and other kinds of needed activities that are going on regarding the promotion of our City and the tourism business. I object to them being committed to the Civic Arena Corporation.

On the actual leasing arrangement, I object because of several fundamental issues. First of all, there's no full public disclosure regarding the private financial affairs of the DeBartolo interest in the Penguins and in the Civic Arena Corporation, and I think it's irresponsible for us to approve such a lucrative financial arrangement without full public disclosure.

Secondly, I question the need for these resources given, other resources that are available, including the private interests of the DeBartolo family who operates and owns the Penguins at the Civic Arena.

Thirdly, I strenuously object to the Civic Arena Corporation having another seven year option on the Melody Tent site which I think should be opened for other interested developers to come in and entertain proposals for development while still safeguarding the land and the parking arrangement that obviously is needed at

the Arena. Thank you.

Michelle Madoff:

Now let's talk about the real world. We own the building as taxpayers. We have to maintain it. It doesn't matter whether the person owning it or leasing, excuse me, is rich or poor. If you have a house and you're paying a mortgage payment and the roof is falling in and the windows are falling in and it becomes a blight and nobody wants to rent it, then you pick up that debt.

So, let's deal with reality and let's get on with the vote.

Mr. Regan:

I would just like to say that we're lucky to have the DeBartolo family running that operation up there because I didn't see anybody hollering when they were losing money. And you know, if you have money, it doesn't make you a nicer guy because you lose. If the DeBartolos were losing money, what are you going to say, that they're nice people now? They're business people and I think that the deal is a good one for the City and a good one for DeBartolos. We need a big league operator like DeBartolo in there to make it happen. There was a lot of years when he lost a lot of money and nobody said anything.

Mr. Coyne:

Mr. President, as a Boardmember of the Auditorium Authority, I feel that this is a very fair deal.

As Councilwoman Madoff has pointed out, the City and the County do own the building and I do believe it is our responsibility to keep up the maintenance of it.

As to Councilman Ferlo's attempt to say that it is a secret deal or there are some secrets involving the Civic Arena Corporation itself, I'd like to point out for his information and for the public that the only records that will not be made public are those pertaining to the Penguin organization itself. All other financial dealings of the Civic Arena Corporation are public and will be made public whether it's on the Authority's request or City Council's or the County Commissioner's or the public.

So, just to make the record clear, there isn't any hidden agenda here.

Mr. Ferlo:

Mr. Chairman, I'd like my comments brought forward on this discussion that took place last week.

Mr. Cohen:

Mr. President, I'd like my comments brought forward on both of these bills, please.

The Chair:

I strongly support the bills and I'd like my comments brought forward for the Record.

(REMARKS ON FOLLOWING PAGES)

BEGINNING - MESSRS. FERLO AND WAGNER'S COMMENTS ON BILL NOS. 1632 AND 1633, WEDNESDAY, NOVEMBER 14, 1990)

Mr. Ferlo:

Just a couple of questions. First of all I think the Penguins are great but I think this deals stinks and I know I disagree with the Administration on this and I respect the work that's been done on this proposal to Council.

First of all, the work has already been incurred, the repairs have been made. And it is true that this is a city-county facility and I've heard Mr. Foerster comment on the radio that's it's our house and we've got to make the repairs which I don't disagree with but I think we should make the repairs and that should be reflected in increased rents for whoever is utilizing the facility, be it the Penguins or anybody else.

As far as re-financing the previous debt service of the previous bond, it makes sense to do that given the market -- you don't have to go out and float another \$5 million bond or re-finance the previous bond indebtedness that we have. If it makes sense to do it then it makes sense to do it irrespective of us proving another significant bond issue for this deal; is that not true?

Dir. Hayllar:

No, for a number of reasons. We might re-finance anyway however --

Mr. Ferlo:

-- but the impetus to re-finance should be based on what the interest rate is.

Dir. Hayllar:

Not entirely. If you have to go out and get new debt, that makes that savings --

Mr. Ferlo:

-- so you're saying we should go more into debt to re-finance the old debt.

Dir. Hayllar:

No. You have a limited number of times you can re-finance, you don't want to waste those opportunities. There is an effort and expense in doing it and having to have additional funds

makes that decision for you. I'm not convinced that the decision would be made between the City and the County to re-finance the existing debt without this. It might very well be.

Mr. Ferlo:

One could re-finance the previous debt based on the favorable market independent of also committing for another significant bond issue and it makes sense or it doesn't make sense independent of whether or not we want to increase additional debt.

Dir. Hayllar:

That's correct.

Mr. Ferlo:

The public disclosure still upsets me. I appreciate the leadership that Mr. Coyne has shown on the authority and at least having certain documents being review by members of the Public Authority, but we're still talking about significant public dollars that have already been committed in the past, are being proposed to be committed here today as well as the supportive bills I assume will come in the next few months regarding the proposed bond issue, so we're talking about locking ourselves into major public dollars and to private initiative dollars and I resent the fact that there's not full public disclosure regarding the financial affairs of the Penguins. When I say public I mean public, P-U-B-L-I-C. And it's not good enough that only a few selected individuals albeit some members of the Public Authority have privilege to that information, it should be public information based on the public subsidy of these dollars.

I realize we disagree on that but it's the other thing that upsets me about this.

The third thing that is locked into this agreement also is a continuation of the Melody Tent site being retained by the DeBartolo interests and I don't know what good faith they've shown over the last five years in moving towards developing that property. It has a higher and better land value use in the present parking lot arrangement that's there and I don't think they should be the ones to absolve this, I think it should be open to the URA and others to come in and propose construction activity on that site while safeguarding parking privileges for the Arena, so I cannot vote for it also on the basis of the Melody Tent site option.

Dir. Hayllar:

You can't do both. You can't take the parking away and then safeguard his parking rights.

Mr. Ferlo:

There's such a thing as having parking down below or one or two stories and building a building above it.

Dir. Hayllar:

You should also note that in that area there hasn't been any private development at all for quite some time.

Mr. Ferlo:

There has to be options before there can be development. No one has an option on the property other than the DeBartolo interests.

Dir. Hayllar:

Nobody anywhere up there has developed in the private sense. The development that's going up there has been publicly subsidized.

Mr. Ferlo:

Right, but is not the City and the URA committed to over \$500 million housing development initiative?

Dir. Hayllar:

Absolutely.

Mr. Ferlo:

Is that not some incentive that's now going to change the --

Dir. Hayllar:

-- hopefully that will change the economy of the entire area to make more developments.

Mr. Ferlo:

And I agree and my only point in objecting to this arrangement here today regardless of the finances is that I think we should entertain other proposals from other development interests in this city and I want to know if the Administration has entertained any other proposals from development interests.

Dir. Hayllar:

The tenant needs to control the parking for those games and I think that is in the City's interests.

Mr. Ferlo:

My last question. In the last two years the Casey Administration, the State Legislature, had made a significant commitment to the tune of \$8.5 million for the City of Philadelphia for some of their major league sports activities. Why haven't other options been utilized, either going to the Administration at the statewide level support for the Penguins or the physical repairs to the Arena. Other kinds of things have been done in the past at the stadium regarding the sale of corporate medallions. I mean, why are we once again bailing out one of the richest men in the country?

Dir. Hayllar:

The owner is not relevant to this company. If this were a factor, you wouldn't care who the owner was, you would be concerned about the jobs that were involved and could be lost.

Mr. Ferlo:

It's a question of giving public support and public dollars where there is a need. I think there's a direct relationship and this Administration has reflected a direct relationship to supplying public dollars where there's a need. It's not clear to me that you met that threshold of establishing the need for this kind of public dollar commitment.

Dir. Hayllar:

Whether there is a tenant in that building or not, it is our building and we will be required to maintain it; that's first. If there's no tenant, the cost is immense and we'd literally have a white elephant. The circus -- and we lost the rodeo -- the circus will not be enough to sustain the use of that building. We really need that primary tenant in there. It's all part of the package.

Again, the ownership is not the issue; it is the job's attendant to having that team play there.

Mr. Ferlo:

But I think the ownership is the issue to the extent of what one's relative resources are to support what is a "for profit" endeavor and since there isn't public disclosure regarding the finances of this deal, I am completely ignorant and every Councilmember other than Mr. Coyne maybe is voting on

this ignorant of what the actual financial position is of the Penguins and any of the financial interests.

Dir. Hayllar:

-- Mr. Turner has gone through the books --

Mr. Ferlo:

-- Mr. Turner is about the last person I would have faith in given the budget yesterday.

Dir. Hayllar:

I will certainly carry that message to him.

Mr. Ferlo:

I hope he's listening to this discussion.

Dir. Hayllar:

We have gone through the books as we required and he has had a sense of confidence of what the team's finances are.

Mr. Ferlo:

I appreciate the work that the Administration has done on this but I could not vote on it in principle because of public disclosure and the Melody Tent site option and I think Mr. DeBartolo has deep enough pockets. You're talking about us maintaining a debt service now and you will come to us in another month for another debt service for the Pirates.

Mr. Wagner:

Gentlemen, a couple questions up front. What is our total outstanding debt to the Civic Arena?

Dir. Hayllar:

I'm embarrassed. I should know but I don't have it with me. I can give you an off-the-wall figure and then have to come back and tell you I'm wrong.

Mr. Wagner:

Any ballparks?

Dir. Hayllar:

I'd hate to give you a ballpark. It is a number I can give to you in exactly three minutes but it requires me to go to the top of my desk and getting it.

Mr. Wagner:

Prior to Tuesday, let us know what it is and what our additional anticipated debt will be.

Dir. Hayllar:

Your additional anticipated debt is \$2 million with probably a maximum increased debt service of \$200,000.00 a year, partially offset by an increase in the rent.

Mr. Wagner:

What is the value of our asset?

Dir. Hayllar:

I don't know what the depreciation on a public building is. It's obviously -- the Civic Arena, the property around there might be \$60 million to \$70 million.

Mr. Wagner:

I'd like to know those two numbers because really it puts everything in balance as to what we have invested, what the worth of it is, whether or not we have adequately invested in that parcel to keep it up to spec in terms of what its value is.

I'd like to follow-up on the seating questions. I'm sure in the renovations that have been made and the engineers that have looked at the Arena, we know whether or not we can add seats to move us up a few notches as Mr. Cohen indicated. Is that possible to add three or four hundred seats from an engineering point of view?

Mr. Brown:

Mr. Wagner, when the Arena was first built, the seating capacity was less than 11,000 and we have now added almost 6,000 seats. Now whether you can add more and the effect on the building is an engineering question. I'm sure the engineers could look at that. Mr. Sciulli and the Civic Arena engineers could look at it and see where we could find room for additional seats

Mr. Wagner:

I'd like to know that as quickly as final vote. I'm voting in the affirmative on this for a number of reasons but, I also want to be to some degree reassured that if we do slip in total seating capacity that we can immediately invest the dollars that are necessary to put us back up there somewhere in the middle of the other cities that have a professional hockey team and certainly if we have millions of dollars invested there and we can invest a few more hundred thousand dollars to assure the continuation of a franchise and enhance seating capacity which in essence helps everyone and to my knowledge today the majority of hockey games are sold out at the Arena so consequently an additional 500 seats would be sold would help us in a multitude of ways, would help the Penguins, would help the Civic Arena Corporation bring in additional parking tax revenues, amusement tax revenues, etc., etc., so I would like to know if we can add a few hundred seats to put us in a more competitive mode as is indicated in the proposed lease agreement. And I think people that know arenas can take a good look at that and tell you whether or not it's possible and I'd like to know that.

With anticipated future improvements, what is the status of the operation of the roof presently today and if the roof is not in good operational condition --

Mr. Ferlo:

-- point of order, Mr. Chairman. Mr. Wagner has raised several significant questions regarding information which I would like to be able to review before final vote. I'm not objecting to having him at the table, by the way. I'm only pointing out that if there's some urgency to prove this today as opposed to waiting next Wednesday so we can receive this information.

Mr. Wagner:

Mr. Martha, what is the status of the -- maybe I'm asking the question and making a statement at the same time. I think our Arena is extremely unique in that we have a moveable roof or a roof that can open. Not only the shape of the roof but in comparison to other arenas in this country and in Canada, it's extremely unique and in my opinion it's not utilized enough. What is the status of its condition and if its condition is not good, is that part of the anticipated improvements?

Mr. Martha:

The condition of the roof at the Civic Arena is fine. When we want to, we can open the roof. We offer the roof opening as one of amenities that any of our tenants can enjoy. Unfortunately, we have a slight operative problem because we

hang lights from the inside of the roof for hockey games. Those lights were stalled about eight or nine years ago mainly for television and the lighting requirements of televising hockey games, so we have to take the lights down to open the roof but people who request the roof opening, we can open our roof. It is one of two in North America, the other one was just built in Toronto with their new stadium.

But I have to comment that the utility of opening the roof causes problems that have to be explained to the tenants. When we are talking about music, the sound alterations for instance for a rock concert are rather significant and when you open the roof there's a tremendous down draft inside and obviously we have weather limitations. If it rains, we can't open the roof, if the wind velocity outside is 20 miles an hour or more, we can't open the roof so there are limitations in opening the roof. But it's fine.

Mr. Wagner:

In the arrangement of the lights is there any consideration to make the arrangements such in structural improvements that we would not have to remove the lights to open the roof?

Mr. Martha:

Under Phase IV one of the projects is a recommendation for an entirely new lighting system on the inside of the Arena and one of the elements of that is the cleaning and painting of the inside of the dome which will significantly improve lighting in the Arena.

Mr. Wagner:

Which could mean that would not have to remove lights every time the roof was opened?

Mr. Martha:

Actually the removal of the lights is no big problem. We can do it in eight hours, so if we have a tenant that comes along and wants the roof opened, we can remove the hockey lights. Obviously we don't want to open the roof for a hockey game.

Mr. Wagner:

Why is that if the weather conditions are appropriate?

Mr. Martha:

It gets cold inside the Arena. Opening the roof has its advantages but it also has some disadvantages.

Mr. Wagner:

I'd like to compliment all of you, Civic Arena Cooperation, the Penguins, the Auditorium Authority, for doing an exceptional job this past year with the National Hockey League All Star Weekend because you truly brought very positive attention to the city for an entire weekend; you did an exceptional job.

Mr. Martha:

Thank you.

Mr. Wagner:

With that I'd like to state that the roof is so unique that the more we utilize the option that we have there I think the better we market our city on a continual basis and however we can enhance the operation of it or utilize it more frequently, I personally would like to see us do that, not just for the benefit of the Civic Arena Corporation and the event that's there, but for the benefit of the City of Pittsburgh. And I really think it brings unique attention to our city. It was one of the flaws when we built Three Rivers Stadium, that we did not have an opening that faced the city. Well, we built the Arena correctly and the roof opens facing the city but we don't take advantage of it and I'd like to see us do that more in the future and hopefully if structural improvements need to be made we can do that.

If I may follow up, a couple more questions.

It was mentioned earlier we were talking about the Melody Tent site and I know Director Hayllar mentioned it. Have we in any way considered any options for doing anything at the Melody Tent site and you have mentioned -- I don't know if you recall it -- you mentioned the possibility of a parking garage and other developments there. Is there any discussion going on in that regard with the City?

Dir. Hayllar:

Not to my knowledge. George Whitmer may be more current on that. Certainly if parking is a key there are two options. Beyond that perhaps the URA has additional information.

Mr. Wagner:

I want to make a statement on the record that I think we have waited too long to do something at the Melody Tent site and what that is, whether it's a development that would incorporate parking, office, commercial, residential, I think the time has come for us to lay a plan out and proceed with that plan. I would hope it's not in the back of our minds that the Civic

Arena is old and it needs to be replaced. With all of the capital improvements that we've made recently and intend to make in the future, I would hope that that facility is there and in operation indefinitely into the future. I would hope that the Penguins are here indefinitely into the future beyond 1997 and we enhance the parcels around it to make sure that the Arena is more functional and more attractive for professional teams and other events. Certainly everything we're doing is working towards that end including our objective to reduce the amusement tax.

Director, do you want to comment on that?

Dir. Hayllar:

Yes. You earlier asked what the outstanding debt on that was. I got my notes now. It's \$14.5 million is the answer to your question is the City's share of the Auditorium Authority debt. That includes money that was used for the Benedum as well. But the bulk of that is towards the Civic Arena.

Mr. Wagner:

So the total debt then would be \$29 million with half of it shared by the County, a portion going to the Benedum

Dir. Hayllar:

Yes, a smaller portion.

Mr. Wagner:

Any idea of what the value of the whole complex is including the land?

Mr. Martha:

No, I don't.

Mr. Robinson:

We will get it for you.

Mr. Wagner:

I want to say that I'm voting in the affirmative here and I think having professional hockey in the City of Pittsburgh is a tremendous attribute to the City and I would like to see it stay here beyond 1997 and hopefully we can do things around the Arena to enhance it and hopefully greater revenues can be coming back to the City of Pittsburgh as a result of it.

The Chair: Thank you, gentlemen.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
 STENOTYPE REPORTER

The Chair:

I'd just like to state again for the record that I'd like to see the roof open more. I think it's really a tremendous marketing tool for the City of Pittsburgh and I would hope that the Civic Arena Corporation would do that in the future when whether conditions permit.

Michelle Madoff:

Ditto.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1645

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Swank As-

sociated Companies, Inc. in the amount of \$3,000.00 in payment of emergency repairs to the Pennsylvania Avenue Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1646

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of D & L Plumbing, Inc. in the amount of \$21,020.00 in payment of an emergency contract or re-route the sewer lines in the basement of the Union Title Building and George's Place Restaurant out of the Grant Street sewer systems; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1653

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act,' effective December 11, 1984."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1655

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$1,000.00, in

payment for professional consulting services rendered to Councilman Eugene Ricciardi for the month of November, 1990."

---(SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1671

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$10,650.00 to Nino R. Barcellino, Ethel L. Barcellino and Richard L. Barcellino, c/o Stephen F. Capone, Esquire, 300 Allegheny Building, 429 Forbes Avenue, Pittsburgh, Pennsylvania, 15219 in full settlement of a claim for an alleged de facto condemnation of the Barcellinos' property at Frankstown Avenue and Exley Way in the 13th Ward of the City of Pittsburgh."

Which was read.

Mr. Ricciardi:

Mr. President, discussion on Bill No. 1671. Bill 1671 is a bill that would grant \$10,650 to a private party for the de facto taking of a piece of property.

Just to refresh my colleague's memory, unfortunately, the Department of Public Works resurfaced a lot that was not the City of Pittsburgh's. That lot started to be used by numerous different people including the City of Pittsburgh, some truck turn-arounds, and the like.

At the table I questioned the Administration concerning why don't we just give the property back, make it whole, rip up the resurfacing and give it back. The reasoning behind it was that we're sort of happy that we have it now because it's going to help traffic flow. Well, I took a run out there over the weekend and I just can't understand how it's going to help traffic flow. First of all, there's so many streets in our own districts that we wish could get resurfaced that it's ironic that a lot was surfaced that wasn't supposed to be.

But I just think this is a total waste of money. I think we have a good professional Law Department and if we made a mistake, let's take back our mistake, rip up our resurfacing, and save the \$10,650.

What I see happening here is that this vacant lot isn't worth anything and the owners saw a way that they could get \$10,650 by selling the lot. They knew that there was no way to sell the lot and they thought, "Well, the City made a mistake and let's try to hit them up for \$10,000." So, I'll be voting no on that bill.

Mr. Ferlo:

Mr. Chairman, I'd like to make a motion to recommit that bill.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

Bill No. 1672

A Resolution entitled, "Resolution amending Resolution No. 1055 of 1990 entitled 'Transferring the aggregate sum of \$7,500.00 from various code accounts to Code Account 50 Refunds - Sewage Charges, Index Code 005009, Department of Finance', by changing the code accounts from which funds are to be transferred."

Which was read.

Also,

Bill No. 1679

An Ordinance entitled, "An Ordinance amending Bill No. 637, approved November 7, 1990, entitled, 'An Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article XI - Personnel, by adding Chapter 197, Code of Conduct - providing public officials and employees with a code of conduct, providing for education as to the same and establishing a Pittsburgh Ethics Hearing Board to adjudicate charges as to certain provisions hereof,' by deleting the words in Section 197.11(b) 'and the identity of the claimant'." ---**(SPONSORED BY MR. RICCIARDI)**

Which was read.

Michelle Madoff:

I'd like to take 1679 separately, if we may, Mr. President.

The Chair:

Fine. Let's do that now.

Michelle Madoff:

There seems to be some confusion. In the preliminary vote the other day, I thought we had the votes. I've also spoken to some of my colleagues who indicated that they would support it, although we may lose some support.

I want everybody to understand, please, and I'll try to be very succinct. I'll use an example. In County government, and at banks, occasionally there's an embezzlement. When there's an embezzlement, the auditors are called in and either there's an embezzlement or there isn't an embezzlement. Nobody's name is mentioned. There's no reason to mention the name of the person.

If somebody were to play McCarthy tactics, and that's what the concern is of my colleagues who I think really support a very good ethics bill but are afraid that somebody will play McCarthy tactics. The fact remains that Mr. Cohen did put into the bill, along with the originators of this draft, there is a provisos to protect you against that.

But more important, if we do not eliminate the identity of the claimant before the full investigation has taken place, how many people are going to be willing to put their guts on the line? We will be discouraging people from coming forward. Granted, people can continue doing what they do now; they send anonymous mail to us.

Mr. Wagner knows for a fact that I got a terrible anonymous letter about something concerning something that he was familiar with. I immediately brought it to him and dumped it in the garbage pail. It was anonymous and I dumped it.

I'm making the point that we don't want to have to deal with anonymous accusations. The point is, there should be no naming of the person to discourage and encourage anonymous letters. They should go through proper channels.

The unfortunate episode with Mr. Woods, believe me, had I not been forced by the Courts to go and testify, and I pleaded with the Judge not to force me to testify, my name would never have come out. I had nothing to do; I'm third-party hearsay. I had nothing to do with whether there was guilt or innocence on the party. The evidence spoke for itself.

Are we cowards? Are we afraid to say that we should not discourage people from coming forward if they know of some unethical behavior on the part of government? I don't think so. And I think people who vote to change the vote we had the other day at the moment we have eliminated the identity of the claimant, as of our preliminary vote. And if you vote yes, it stays out. Is that correct? And if you vote no, it would go back in, I presume.

The reason I'm not going to say, "Let's just sneak it through" is because somebody -- If we don't get the votes we'll come back next week and say, "Okay, let's put it in now." I just think we ought to deal right on the table. This is an excellent piece of work. It's an excellent ethics bill. It has so much going for it. We're going to really start to deal with the perception of this Council of not caring about ethics.

I plead with you. Please vote yes to keep

the identity of the claimant out until the final investigation.

Mr. Darkins:

Mr. Chairman, I think as adults, this is a new Council and we have a different ideology than others in the past. I don't think that we should be into the theory or the thought of throwing the stone and hiding your hand. I think as honest people, elected officials, I don't think we have anything to hide and I just feel that it's the guilt that would be upon anyone that has information that would not bring it forth and would not want to be identified. So, I'm going to have to oppose this bill. I'm going to have to vote no on this.

Michelle Madoff:

May I say something? You know, I don't like to bring it down to the personal, but you leave me no choice. The day Mr. Woods was convicted, I had death threats. My name should never have been part of this issue. And I think it's a disgrace that we're going to bring the person's name forward. It looks as though that's how the votes are going to go.

Mr. Ferlo:

Mr. Chairman, could I just clarify something? If I'm not mistaken, we already approved the ethics bill. We're voting on an amendment.

The Chair:

Yes, we have. We are only voting on an amendment to the ethics bill.

Mr. Ferlo:

Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Michelle Madoff
Mr. Ricciardi

AYES 4

NOES 5

VOTING NO:

Mr. Darkins
Mr. Ferlo
Mr. Milliones

Mr. Regan
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Darkins presented

Bill No. 1722

Report of the Committee on Public Works for November 14, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1469

A Resolution entitled, "Resolution granting unto Presbyterian University Hospital, their

successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a pedestrian bridge over a portion of the right-of-way of Darragh Street in the 4th Ward, 8th District of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Milllones:

Discussion on Bill 1469, Mr. President. It has listed Darragh Street as being in the 5th Ward, 8th District. That's incorrect. It's in the 4th Ward.

Mr. Perry:

The original bill reads 4th Ward.

Also,

Bill No. 1649

A Resolution entitled, "Resolution vacating Bridge Street across Herrs Island between the Allegheny River and the Main Channel in the 24th Ward, 1st District of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1650

A Resolution entitled, "Resolution vacating two (2) portions of right of way; one (1) on the east-erly side of Nash Street, and one (1) on the west-erly side of Nash Street between Avery Street and Pressley Street in the 23rd Ward, 1st District of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milllones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1723

Report of the Committee on Planning, Housing and Development for November 14, 1990 transmitting sundry resolutions and two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 450

A Resolution entitled, "Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain district known as the Allegheny West Historic District."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 450 regarding the approval of the Historical District known as Allegheny West, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGE)

(MR. FERLO'S COMMENTS ON BILL NO. 450 - Wednesday, 11/14/90)

Mr. Ferlo:

My own personal view is there was a public hearing, I think the community is evenly divided on this question. I personally could not support the historical designation as it is written in the bill we will be approving today. I do support historical designation for the residential streets; however, this bill, if it were approved, includes commercial corridors where the overwhelming majority of property owners do not support historical designation. This bill also includes properties that need to be developed. My own personal view is I can't support it. It did receive a favorable recommendation.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Mr. Ferlo:

I'd like to ask Council to consider remanding this back to the Planning Commission for further consideration and to the Historical Review Commission for several reasons.

First of all, this bill comes to us with what I can determine as majority opposition to the designation. And the methodology used by the Historical Review Commission and the Planning Commission was basically flawed. The tabulation of support for this designation did not include consideration of the property owners in the commercial district along Western Avenue. And whether someone is for this or against this, we've set a pattern in City Hall of enlisting the opinions of all people in the consideration of rezoning matters.

And it is a fact that the property owners in the commercial districts were not included in the survey regarding majority support of property owners. So, in the past, when we've designated rezoning, it's usually met a means test of overwhelming support. That was the case for Friendship rezoning; that was the case for probably 20 or 30 zonings that I've supported in the last three years, and I think it's been the case traditionally in City Hall. I don't think that means test was met and I think the Planning staff tabulation of support for this legislation was flawed and I think those property owners have as much right to say what's going to happen to their property as anybody else.

The character of the neighborhood is developing historical qualities and that's mainly happening along the residential streets and I wholeheartedly support historical designation for the residential streets.

But the other problem I have with this bill, and speaking to opposition and asking consideration to remand it, is that there are several

large parcels of property in the zone that would now be designated historical district that have been undevelopable and have not been developed over the last several years. And my own personal view is that this designation would be onerous and would lend itself to ensuring that those properties will not be developed.

Again, I do support historical designation for the residential streets, but I cannot support the bill as it has been presented.

And the other reason why I had asked consideration to remand it back to the various commissions is because the Historical Review ordinance is under a rewrite by a consultant and by the Planning staff and will be considered by Council. And I think that the designation should come up following a change in the consideration of the ordinance itself.

My motion is to remand this back to the Planning Commission for further consideration.

Mr. Coyne seconded the motion.

Mr. Coyne:

I would agree with Mr. Ferlo based upon the premise that the rules and regulations are being rewritten and I can't see any need right now in rushing this through under the old guidelines when we have a Review Commission that hopefully is going to give us a new set of rules that is going to apply City-wide within a matter of months.

So, I think the wise decision would be to hold up on this legislation until we hear what the new rules will be.

Mr. Milliones:

My comments are, Mr. President, that this is the first that I've heard that the input pro-

cess from the various residents was flawed. I never heard that before.

I would not support this bill being sent back to City Planning for a variety of reasons; one is that this has been going on certainly since I've been on Council and long before that.

Secondly, I don't think you're going to get, regardless of the process agreement between the residents of Allegheny West and the merchant owners, the store owners. That's very clear to me. I think that we should move ahead with this designation.

The question was raised, I raised the question with City Planning staff and it is not their recommendation that we wait until after the recommendations come in from the consultants who are working with the Historic Preservation.

So, I think we've dragged this out long enough and I don't think we're going to have unanimity and I think it's simply time to make a decision.

The Chair:

Is there any other discussion on recommitment, not the worthiness of the bill?

Mr. Cohen:

I don't think we should recommit this, Mr. President. I know that the Planning Department is studying this with a group from Clarion Associates and I think that they are moving along. But this has been an incredibly long process and if the people of Allegheny West would like to have a less restrictive historic designation down the line, if that's what the Planning Department comes up with, we could always do that.

I've walked Allegheny West several times in the last several months, actually with both sides on this issue, and this is an area that really deserves protection. It has unique historical value and it's different from some of the other potential historic areas of the City because it is truly threatened with the Stadium there and with other potential development there. It really is a neighborhood that is threatened and unless we take steps to preserve that neighborhood then we may find that we're not going to have the kind of historic value that's there now.

So, I think we should move ahead and if the people of Allegheny West would like historic designation that is less restrictive, then we could always do that in the future.

Michelle Madoff:

This is not the first hearing since I've been here or you've been here, Jack, that we've heard on this issue.

If I may remind those of us who may recall from media reports and for those of us who were here, the concern was that if we don't declare it as a historic designated area the merchants and some of the real estate owners who don't even live in the City want to move expeditiously to do what they want to do in violation of everything that would make that community and maintain the integrity of that community and we cannot wait. We must vote for it now.

Mr. Regan:

I agree with the honorable Finance Chairman that this has dragged on a long time and I think it's time to vote and whatever way my colleagues would like to vote, that's up to them. But I think it's time to move on. I think the time has come to vote.

Mr. Ferlo:

I agree with many comments that Mr. Cohen and Dr. Millions have raised. And again, I want to reiterate, I support the historical designation for the residential streets. I think the problem is, again, regarding the process. We did hear specific testimony at the public hearing as well as when Dr. Downing was questioned. It was quite clear that the tabulation of the aye and nay votes from property owners in the commercial district were not included in the tabulation of the votes overall and that was the information conveyed to the Planning Commission.

Secondly, the one value of remanding this back to the Commission is for the Commission to give better consideration to the possibility of some of the district being a change in the actual configuration of what they proposed to actually have a historical district. Take into consideration the testimony from those individuals who would like to develop property in that area as well as the commercial business owners along Western Avenue. Thank you, Mr. Chairman.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne Mr. Ferlo

AYES 2 NOES 7

VOTING NO:

Mr. Cohen	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

And there not being a majority of the votes of Council in the affirmative, the motion was defeated.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Millions	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

(MR. COYNE, MR. DARKINS AND MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1306

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Section 921.02, Zoning District Map No. 5, by changing: From 'S' Special District

and 'C3' Commercial District to 'R2' Two-Family Residence District certain property in the vicinity of Perry Traditional Academy along PERRYSVILLE AVENUE; MAIRDALE STREET and SEMICIR STREET, 26th Ward."

Which was read.

Also,

Bill No. 1432

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: 1. From 'R4' Multiple-Family Residence District and 'C3' Commercial District to 'RP' Residential Planned Unit Development District, all that certain property bounded by: CRAWFORD STREET; WEBSTER AVENUE; MERCER STREET; GILMORE WAY; Lot No. 130, Block 9-S in the Allegheny County Block and Lot System, WEBSTER AVENUE; PEACH WAY, Lot No. 119, Block 9-S in the aforesaid System; MANILLA STREET, Lots No'd. 105, 76 and 77, Block 9-S in the aforesaid System, ROBERTS STREET; PERU WAY; ARTHUR STREET; HOFFERS WAY; ROBERTS STREET; CLARK WAY; MILLER STREET, and FORESIDE PLACE; and, 2. From 'R4' Multiple-Family Residence District to 'R1' One-Family Residence District all that certain property bounded by: ARTHUR STREET; PERU WAY; ROBERTS STREET and HOFFERS WAY, 3rd Ward."

Which was read.

Also,

Bill No. 1651

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land

by and between the Urban Redevelopment Authority of Pittsburgh and McCormack, Baron & Associates, Inc. for the sale of Parcels 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22(PART) and 23 in the 3rd Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31 and Block 2D Lots 328, 327, 326, 325, 324, 323, 322, 321, 320 and 318 in the 3rd Ward of the City of Pittsburgh (RESIDENTIAL DEVELOPMENT)."

Which was read.

Also,

Bill No. 1669

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file an amendatory application for financial assistance in the amount of \$3,398,000 with the Pennsylvania Department of Community Affairs for Phase I Rental Housing in the Crawford-Roberts Redevelopment Project Area."

Which was read.

Also,

Bill No. 1670

A Resolution entitled, "Resolution authorizing a First Amendatory Crawford-Roberts Phase I Rental Housing Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation and implementation of \$3,398,000 in certain developer private investment funds as the local matching share of a grant applied for in an amendatory application for financial assistance filed with the Pennsylvania Department of Community Affairs."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen presented

Bill No. 1724

Report of the Committee on Engineering and Construction for November 14, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1647

A Resolution entitled, "Resolution further amending Resolution No. 326, effective April 3, 1990, as amended by Resolution No. 817, effective August 10, 1990, entitled, 'Providing for a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Play Areas, including but not limited to 52nd Street

Court, the 57th Street Court, Heldman Playground and Kennard Playground; and providing for the payment of the costs thereof,' by increasing the total project allocation by \$50,000.00 from \$625,000.00 to \$675,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I think every member of Council received notification that the meeting with Carnegie Library will be on Friday, November 30th at 10:00 a.m. here in Council Chambers.

Mr. Ferlo:

Mr. Chairman, just a brief request. I wasn't able to attend the private meeting with the

Mayor regarding changes in personnel but since, obviously, the Mayor's budget message has been clear that upwards of 30 or 40 people actually have lost or will be losing their employment with the City between now and the end of the year.

I would respectfully request that the Administration give us an indication as to who those individuals are and, secondly, whether or not there can be any provisions for placement of those individuals in other positions which have been proposed to be budgeted in the upcoming year.

The Chair:

Are you asking that in the form of a formal letter?

Mr. Ferlo:

Yes. I'd like to make a motion that we respectfully request that information from the Administration.

The Chair:

Specifically what would it include again?

Mr. Ferlo:

The letter would respectfully request the information regarding who actually has been terminated or laid off due to budget constraints, and a consideration by the Administration for information regarding whether or not any of those individuals can be placed into other positions in the City.

Mr. Ricciardi:

I'd like to ask Mr. Ferlo a question if I may. I agree with Mr. Ferlo about the people

being placed in other positions with the City if that's possible. I'm curious why Mr. Ferlo would like to know the names of the individuals and not the positions themselves.

Mr. Ferlo:

Either way, it doesn't matter to me. The value of the names is that it's easier for Councilmembers to know explicitly what those individuals did in terms of job position. We see these nebulous job titles and sometimes it doesn't mean as much. Many of us work in the field with these individuals and it makes it -- Just for the sake of knowing more clearly what those positions were.

Mr. Ricciardi:

Mr. Ferlo, I would support the position titles and just the description of the position titles and the departments, but not the names themselves, because then it becomes a matter of maybe politics or personality. I think it's very important for us to target the position and that position and how it directly services the taxpayers. So, I would support Mr. Ferlo on the position but not the name.

Mr. Ferlo:

I don't have any objection to that, Mr. Chairman.

Mr. Ricciardi:

I'll second his letter for positions only and not names.

WHICH MOTION PREVAILED.

Michelle Madoff moved to approve the Minutes of Wednesday, November 7, 1990 and Tuesday, November 13, 1990.

Mr. Milliones seconded the motion.

Which motion prevailed.

And on the motion of Mr. Milliones

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, November 27, 1990

No. 46

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, November 27, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

The Chair:

I'd like to have a special moment of silence for Sergeant James Blair who lost his life yesterday in the line of duty. Thank you.

Mr. Regan:

Mr. President, I would like to have you, if you could, direct Director DiNardo who is in charge of General Services, for this hero who lost his life in the line of duty, this Police Officer of the City of Pittsburgh, and I feel he is bigger and stronger than any dignitary because he laid down his life for the people of the City of Pittsburgh in the line of duty, and I would request, if I may, that we fly all City flags at half mast until he is buried.

Mr. Darkins seconded the motion.

Which motion prevailed.

The Chair:

Thank you, Mr. Regan.

PRESENTATIONS

Mr. Coyne:

I have with me today Mr. Red Whittington and Mr. Steve Kohman to accept this proclamation.

Mr. Coyne presents

No. 1752 WHEREAS, Disc Golf, played like "ball" golf but using high-tech discs instead of clubs, and raised baskets instead of a hole and pin, is uniquely successful in providing a kind of recreation young people can relate to; and

WHEREAS, today there are 325 disc golf courses in 41 states and 3 Canadian provinces sanctioned by the Professional Disc Golf Association where an estimated 1,200,000 rounds of disc golf are played each year; and

WHEREAS, this very inexpensive sport can be played in Pittsburgh at the Schenley Park Disc Golf Links; and

WHEREAS, the Schenley Park Disc Golf Links were made possible by a grant from the Hunt Foundation and by the volunteer effort of the Pittsburgh Flying Disc Society; and

WHEREAS, the Pittsburgh Flying Disc Society, in addition to installing the course at Schenley Park, has sponsored tournaments and other events including a benefit raising \$1,000 for the American Diabetes Association.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Members of the Pittsburgh Flying Disc Society for their invaluable contribution to recreation in Pittsburgh.

Mr. Coyne moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Coyne:

Thank you, Members of Council. I think

Mr. Whittington and Mr. Kohman have a few words to say.

Mr. Whittington:

Good morning, City Council Members, and thank you for the opportunity allowing us to speak on the benefits of Disc Golf here in Pittsburgh.

I have been involved in Disc Golf myself for about ten years and it wasn't until 1987 that we finally put a proposal into the Hunt Foundation to fund the installation of the course hardware. That was through the efforts of Citiparks; Vince Hurley and Tony DiMaria were instrumental in their commitment to bringing Disc Golf to Pittsburgh.

Since the installation of the course we have had four Professional Disc Golf Association sanctioned events in Pittsburgh drawing competitors from at least a dozen states and Canada.

We hope to put Pittsburgh on the map on the pro tour. Each time we have a tournament here, we always have people complimenting the beauty of our parks and the friendliness of our people here. So, it's really good for the promotion of Pittsburgh in general.

Our club, the Pittsburgh Flying Disc Society, we publish a quarterly news letter and have a circulation of approximately 800 people. Our aim is to introduce and promote disc golf sports, especially to the youth. We would like to work with schools and anything like that. We're willing to donate the time for clinics and demonstrations. And we are moving toward holding higher visibility tournaments here in Pittsburgh, hopefully, eventually having the World Championships here.

On behalf of the Pittsburgh Flying Disc

Club and the hundreds of disc golfers here in Pittsburgh, we'd like to extend our thanks to Vince Hurley, Tony DiMaria, and John Hunt who is a board member of the Hunt Foundation who is also an avid disc golfer. He has an 18 hole course in his back yard.

Michelle Madoff:

What is disc golf?

Mr. Whittington:

It is Frisbee Golf. As you can see by the picture right there, the idea is to throw the disc into the basket. It's played exactly like regular golf with the exception that you're using flying discs and you're using the pole hole assemblies to throw the disc into. We have an 18 hole course in Schenley Park right now.

I would like to introduce Steve Kohman at this time.

Mr. Kohman:

Thank you, Red. Good morning, Members of City Council.

I would like to make you more aware of the excellent opportunity for the citizens of Pittsburgh we have in the sport of Disc Golf. Let me begin with a direct quote from the current rules of Disc Golf. "Trying to explain the growing popularity of Disc Golf begins with one central fact: Throwing a flying disc with power and accuracy is a marvelous sensation. The constant challenge, the social nature of the game, the good physical and mental conditioning and the fact that it's inexpensive to play, are also attractions. Disc Golf is a recreational sport for everybody regardless of age, gender or ability."

I've had the opportunity to see the sport grow in the last few years in the City. On Sun-

day, we met a woman with four young children enjoying the Indian Summer weather we've been having here in Pittsburgh out at the Schenley Park Disc Golf Course. Older people are also enjoying the game as a social outing, more frequently including participation and events in the fundraising event for the American Diabetes Association. The novelty and ease with which the sport is learned makes it so much fun to play.

Disc Golf is played for free at some of the most beautiful parks all over the country. With the small cost of a Frisbee, anyone can play the sport and get some exercise and fresh air out at the course. It's this kind of community service that City Council should consider offering.

The monetary cost to the City is very small, or even none, as in the case of the only course we currently have in the City, at Schenley Park. This is good to know in the case of budget constraints and financial difficulties we're all going through at this time.

We do need the approval and commitment of land use to obtain more courses in the City. The courses are laid out in natural terrain with the hills, trees and bushes providing obstacles to the flight of the disc, which is very much a key part of the game. As such, the integrity of the natural terrain can be preserved.

Many other benefits to the park will occur with the installation of a Disc Golf Course. The park will be self-policed by the players, and result in fewer crime incidents. The players will keep litter off the course and keep the park clean. But most importantly, the otherwise little-used park space will be enjoyed by many people.

The area players are willing to provide guidance and help in designing, installing and maintaining any new courses this City decides to develop. Land areas to be considered are other

parts of Schenley Park, the new riverfront developments, and Frick Park which, incidentally, was the temporary course site of the 1984 Pro Tour event which was regarded by the players as one of the most beautiful courses they have ever played. We will be happy to discuss the details of new course locations further at your convenience.

As the sport rises from infancy in the Pittsburgh area, we should not be left behind other cities in seeing the benefits. Cincinnati has 11 courses with new courses going in every year. I had the opportunity to play a new course in Columbus, Ohio two weekends ago right next to the Hoover Dam. It was very beautiful and it was wonderful to be able to get out and get some good exercise while seeing the wonderful park surroundings. Let us help present Pittsburgh to others in this way too.

The Chair:

Thank you, sir.

Mr. Darkins presents

No. 1753 WHEREAS, John Edgar Wideman is one of America's most accomplished writers; and

WHEREAS, John Edgar Wideman was born in Washington, D.C. and was raised in the Shadyside and Homewood sections of Pittsburgh; and

WHEREAS, John Edgar Wideman is a graduate of the University of Pennsylvania and a recipient of a Rhodes Scholarship to Oxford University in England and a member of the Phi Beta Kappa Honor Society; and

WHEREAS, John Edgar Wideman published his first novel at the age of 26 and since then has written four other acclaimed works;

and

WHEREAS, John Edgar Wideman has received national recognition for his contributions to the literary community and for his impact upon the African American people; and

WHEREAS, John Edgar Wideman is a man most worthy of honor and esteemed recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby proclaims November 23, 1990 as John Edgar Wideman Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

I'd like to ask our honorees to please come forward. We have President Albert Suess, Auditor Anthony Naple, and Member of Jury Ed Moeller.

Mr. Ricciardi presents

No. 1754 WHEREAS, the Pittsburgh Slovak Catholic Sokol will celebrate its 85th Anniversary on December 1, 1990; and

WHEREAS, the Slovak Catholic Sokol was organized on July 4, 1905 in Passaic, New Jersey; and

WHEREAS, the Slovak Catholic Sokol is an Athletic and Gymnastic Fraternal Benefit Society; and

WHEREAS, the motto of this organiza-

Club and the hundreds of disc golfers here in Pittsburgh, we'd like to extend our thanks to Vince Hurley, Tony DiMaria, and John Hunt who is a board member of the Hunt Foundation who is also an avid disc golfer. He has an 18 hole course in his back yard.

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day, we met a woman with four young children enjoying the Indian Summer weather we've been having here in Pittsburgh out at the Schenley Park Disc Golf Course. Older people are also enjoying the game as a social outing, more frequently including participation and events in the fundraising event for the American Diabetes Association. The novelty and ease with which the sport is learned makes it so much fun to play.

Disc Golf is played for free at some of the most beautiful parks all over the country. With the small cost of a Frisbee, anyone can play the sport and get some exercise and fresh air out at the course. It's this kind of community service that City Council should consider offering.

The monetary cost to the City is very small, or even none, as in the case of the only course we currently have in the City, at Schenley Park. This is good to know in the case of budget constraints and financial difficulties we're all going through at this time.

We do need the approval and commitment of land use to obtain more courses in the City. The courses are laid out in natural terrain with the hills, trees and bushes providing obstacles to the flight of the disc, which is very much a key part of the game. As such, the integrity of the natural terrain can be preserved.

Many other benefits to the park will occur with the installation of a Disc Golf Course. The park will be self-policed by the players, and result in fewer crime incidents. The players will keep litter off the course and keep the park clean. But most importantly, the otherwise little-used park space will be enjoyed by many people.

The area players are willing to provide guidance and help in designing, installing and maintaining any new courses this City decides to develop. Land areas to be considered are other

Mr. Darkins presented

No. 1735 Resolution providing for the repeal of Resolution No. 310, approved March 26, 1990, effective date March 30, 1990 entitled Vacation of Thirty-Eighth Street from Liberty Avenue to Ewing Street in the 6th Ward, 7th District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1736 Resolution providing for the issuance of a warrant in favor of Mr. Michael Milberger, 5113 Rosetta Street, Pittsburgh, PA 15224, in the amount of \$100.00 in payment for professional consulting services rendered to Councilman Jim Ferlo, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Index Code 100123. (Council District #7)
---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance.

Mr. Milliones presented

No. 1737 Resolution amending Resolution No. 739 of 1990 entitled, "Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Initiatives Program Single Point of Contact Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Initiatives Program Single Point of Contact Project; and providing for required assurances," by increasing the amount available for subcontractor agreements by \$479,831.00 from \$1,900,000.00 to \$2,379,831.00, chargeable to

and payable from the JTPA -1 Trust Fund.

Also,

No. 1738 Resolution amending Resolution No. 738 of 1990 entitled "Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Jobs Initiative Program Transitionally Needy Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Transitionally Needy Project; providing for subcontractor agreements and providing for required assurances," by increasing the amount available to subcontractor agreements by \$22,624.00 from \$160,000.00 to \$182,624.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 1739 Resolution amending Resolution No. 731 of 1990 entitled "Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof," by increasing the amount available to subcontractor agreements by \$111,707.00 from \$195,000.00 to \$306,707.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 1740 Resolution amending Resolution No. 732 of 1990 as amended by Resolution No. 961 of 1990 entitled "Providing for an Agreement or Agreement with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof," by increasing the amount

available to subcontractor agreements by \$158,790.00, from \$1,458,000.00 to \$1,616,790.00, chargeable to and payable from the various JTPA Trust Funds.

Which were severally read and referred to the Committee on Finance.

Mr. Milllones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed

Also,

No. 1741 Resolution providing for the issuance of warrants in favor of various banks in the aggregate amount of \$4,240.85 in payment for Bank Services Fees rendered to the City of Pittsburgh for the third quarter of 1990, payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance.

Also,

No. 1742 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1991.

Also,

No. 1743 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1991.

Also,

No. 1744 Resolution adopting and approving the 1991 Capital Budget and 1991 Community Development Block Grant Program and approving the 1991 through 1996 Capital Improvement Program.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1745 An Ordinance No. 17, approved August 17, 1990, entitled "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof" to amend the types of materials to be collected of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly.

Which was read and referred to the Committee on Public Works.

The Chair presented

No. 1746 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss Council Bill No's. 1593, 1594 & 1595 concerning the proposed amendments and supplements to the Pittsburgh Code, Title VI, Article III, Dogs and Other Animals.

Which was read, received and filed.

UNFINISHED BUSINESS

The Chair presents

No. 1747 Communication from Mayor Sophie Masloff returning with her veto Council Bill 1391 entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals and Fowl", by adding a new Section 635.04 Use of Painful Techniques and Devices.

Which was read.

Mr. Coyne moved to override the veto.

Mr. Ferlo seconded the motion.

(MAYOR'S VETO LETTER)

November 21, 1990

Honorable President and Members
City of Pittsburgh
City Council
510 City-County Building
Pittsburgh, PA 15219

RE: Council Bill No. 1391

Dear Mr. President and Members:

I am returning herewith, as vetoed, Council Bill No. 1391. I want to emphasize to you and the many well meaning animal rights advocates who are interested in this Bill that my veto should not be construed as an absence of concern for the welfare and rights of animals. To the contrary, I personally share such concerns. Nevertheless, for the following reasons, I believe my decision is in order.

The State Criminal Law specifically prohibits and makes it a summary offense to cru-

elly treat or otherwise abuse or neglect any animal. State laws vest substantial powers in both police officers and agents of societies for the prevention of cruelty to animals including the right to make searches, according to law, and the right to seize animals where necessary. The District Attorney as well as agents of societies for the prevention of cruelty to animals also has the authority to initiate criminal proceedings for violation of the State law.

Enforcement obligations under the proposed Ordinance (Bill No. 1391) would be the responsibility of the Department of Public Safety. This could include police officers, the Bureau of Environmental Services or the Bureau of Building Inspection in certain circumstances. At this critical time when serious budget and personnel problems must be addressed, I do not consider it appropriate to add additional enforcement obligations and responsibilities to the above mentioned Bureaus as they are already overburdened and simply will not have the manpower to devote to this situation.

It is my judgment that State law provides in more general terms the same protections to animals as are available under Bill 1391, together with more substantial enforcement powers in both police officers and humane societies. I think that we must work with the State law and not be quick to assume the responsibilities of other agencies or governments. I urge Council to sustain my veto of Council Bill No. 1391.

Sincerely yours,

Sophie Masloff
Mayor

(END OF LETTER)

Mr. Coyne:

Mr. Chairman, I'm sure, as all Coun-

available to subcontractor agreements by \$158,790.00, from \$1,458,000.00 to \$1,616,790.00, chargeable to and payable from the various JTPA Trust Funds.

Which were severally read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed

Also,

No. 1741 Resolution providing for the issuance of warrants in favor of various banks in the aggregate amount of \$4,240.85 in payment for Bank Services Fees rendered to the City of Pittsburgh for the third quarter of 1990, payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance.

Also,

No. 1742 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1991.

Also,

No. 1743 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1991.

Also,

No. 1744 Resolution adopting and approving the 1991 Capital Budget and 1991 Community Development Block Grant Program and approving the 1991 through 1996 Capital Improvement Program.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1745 An Ordinance No. 17, approved August 17, 1990, entitled "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recyclable materials and leaf waste, and imposing penalties for the violations thereof" to amend the types of materials to be collected of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly.

Which was read and referred to the Committee on Public Works.

The Chair presented

No. 1746 Petition from the residents of the City of Pittsburgh, requesting a public hearing to discuss Council Bill No's. 1593, 1594 & 1595 concerning the proposed amendments and supplements to the Pittsburgh Code, Title VI, Article III, Dogs and Other Animals.

Which was read, received and filed.

Penitentiary. And a man with a speed boat was crashing through those ducks and killed about three of those ducks. Porky the Duckman and his gang showed up at my office and I sentenced the guy to 90 days in jail, \$300 fine, or he had to go 4 weekends and help Porky the Duckman feed the ducks. And when he went down, I got a call from his attorney on Monday morning that Porky the Duckman was going to throw this guy in the Allegheny River. So, I instructed his attorney just to have him sit in the car for four weekends down there and watch, as a community service.

So, I'm not a new person to help take care of animals but I cannot, in just conscience, vote for a bill that I don't believe in.

Mr. Ferlo:

Mr. Chairman, I think it's important that we override the veto. This bill is very fair and very reasonable. It does not ban rodeos. It does not ban circuses. The bill deals simply with the issue of abuse of the animal by banning certain devices used which obviously are cruel and inhumane. It deals with enforcement by having humane agents recognized by State statute available during the performance, and that would not rely on any drain of resources in City government. And it deals with having veterinarian services present during the performance.

It's unbelievably fair, reasonable, and I think it's important to override the Mayor's veto. This bill has nothing to do with hunting and fishing. It has nothing to do with baby seals or furs. It has nothing to do with animal lab research. It has nothing to do even with ducks or vegetarianism. It has to do with the very simple fairness regarding abuse of animals in rodeo performances.

Mr. Ricciardi:

Councilman Ferlo just touched upon some of the points I was going to make and not to sound redundant but it is true that this piece of legislation will not ban rodeos in the City of Pittsburgh. But it will require veterinarians on site and it would also eliminate the cruel and inhuman treatment of animals. It will eliminate the pain and suffering that they now, under certain conditions, receive.

Even at the public hearing when we had a person who stood up with a stun gun and took out that little 9 volt battery and said, "How can this small battery hurt an animal?" Well, we all know what stun guns do to 300 or 400 pound animals or a 200 pound person. It will knock that person on their back. So, it's not true at all. Stun guns can hurt animals, bucking straps do hurt animals, and very sharp instruments inflict pain upon certain animals.

So, I am supporting this. I do want to commend Councilman Coyne for his initiative in sponsoring the legislation, and we all know Mr. Regan's record in the North Side as a Magistrate on the fair treatment of animals. But in this case I think we should override the veto.

Mr. Cohen:

Mr. President, I also respectfully disagree with our Mayor on this issue. After being at the public hearing and witnessing some of the films and photographs that were exhibited there, I was convinced that some of the techniques that are used at rodeos really are cruel, like electric prods, like fixed and sharpened spurs. And I came away thinking that these are not the kind of techniques that should be used in a modern civilized society. I think this is moderate legislation. It doesn't go any farther than to ban these particular devices and I think that we should all support the override.

The Chair:

I'd like to make a comment. I didn't vote in favor of the bill and I'm not going to vote to override the bill, but for reasons different than the Mayor. I said at the time, and I still believe it right now, and I have been a proponent of safe practice with animals also, since I've been here. I've owned a dog my entire life and I've seen a lot of people that mistreat dogs in this City, and one of the reasons that I have a bill in front of Council today dealing with dogs and cats.

But, the problem here is, we will eliminate rodeos. And it has been stated to us by the rodeo people that they are in favor of 90 percent of Mr. Coyne's bill, the elimination of electric prods or shocking devices, the elimination of wire tie downs, the elimination of fixed sharpened spurs. They favor the presence of a veterinarian, which the bill indicates. And, true, the State legislation does not require that. So, they are, in essence, in favor of the far majority of this bill.

There's one part of it that they're not in favor of, and that is the elimination of bucking straps on the animals. They say with the elimination of bucking straps, you, in essence, eliminate rodeo or rodeo related events.

That basically is the reason why I am not supporting it because I think that one aspect of the bill should have been removed because, in essence, we will eliminate rodeos.

And, again, I think what Council is doing, and I know I have done this myself, we keep jumping in and doing what the State should be doing many times. There is obviously a lack of enforcement here at the State level. At the previous event at the Civic Arena many of the violations that existed could have been cited by the Commonwealth if they would have had people present and would have done it.

So, again, we're doing their job and we constantly do that. And I don't know why we simply don't tell State government to do their job and to do it well.

Mr. Ricciardi:

I'd like to address that issue, Mr. President. Bucking straps are not only uncomfortable to an animal but very painful. And what proves that to me is that when an animal is bucking, that animal continues to buck even after the rider is thrown off or gets off until another horse and rider is able to go up and release it. And not to get into the details but most of us know where the bucking strap attaches to.

So, I want the bucking strap eliminated. I think it is not only uncomfortable to an animal but it provides pressure and is very painful to them. And what shows that to me is that after the bucking strap is removed, as Michelle Madoff pointed out after the public hearing, the horse or the animal stops bucking. So, I think that's a very important part of the legislation, the bucking strap.

Mr. Coyne:

Just to deal briefly with that same point. The rodeos portray themselves as having genuine bucking broncos and genuine bucking bulls. Well, these animals actually will buck without the strap, if that's what they actually are. I've been told they're bred to do that. They will buck with or without the strap. So, I think the rodeo still can come to Pittsburgh and, if they have genuine bucking horses, then the cowboy just has to get on and they just need to open the shute and the horse will buck. However, my contention is, the only reason the horses buck is because it's in a great deal of pain caused by the bucking strap.

The Chair:

I respectfully disagree.

Mr. Regan:

I just want to mention one thing. I am absolutely in agreement with the veterinarian being there but I cannot agree with the bill in its entirety.

The Chair:

Is there any further discussion on the motion to override?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Ferlo	Mr. Ricciardi

AYES 6 NOES 3

(MR. DARKINS, MR. REGAN AND MR. WAGNER VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the motion passed finally.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1748

Report of the Committee on Finance for November 20, 1990 transmitting one ordinance

and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1665

A Resolution entitled, "Resolution transferring the sum of \$100,000.00 (One Hundred Thousand Dollars) from Code Account No. 1166, Index Code No. 116608, Salaries and Wages, Regular Employees (\$60,000.00), and from Code Account No. 1169, Index Code No. 116905, Wages, Regular Employees Sick Leave (\$40,000.00) to Code Account No. 1165-9, Index Code No. 116590, Worker's Compensation, in the Department of Environmental Services."

Which was read.

Also,

Bill No. 1666

A Resolution entitled, "Resolution transferring the sum of \$35,000.00 (Thirty-Five Thousand Dollars), from Code Account No. 1167, Index Code No. 116707, Wages, Regular Employees, to Code Account No. 1160, Index Code No. 116004, Salaries, Regular Employees, in the Department of Environmental Services."

Which was read.

Also,

Bill No. 1667

A Resolution entitled, "Resolution transferring the sum of \$35,000.00 (Thirty-five Thousand Dollars) from Code Account No. 1173, Index Code No. 117309, Recycling Services, to Code Account No. 1160-1, Index Code No. 116012,

I'd like to make a comment. I didn't vote in favor of the bill and I'm not going to vote to override the bill, but for reasons different than the Mayor. I said at the time, and I still believe it right now, and I have been a proponent of safe practice with animals also, since I've been here. I've owned a dog my entire life and I've seen a lot of people that mistreat dogs in this City, and one of the reasons that I have a bill in front of Council today dealing with dogs and cats.

But, the problem here is, we will eliminate rodeos. And it has been stated to us by the rodeo people that they are in favor of 90 percent of Mr. Coyne's bill, the elimination of electric prods or shocking devices, the elimination of wire tie downs, the elimination of fixed sharpened spurs. They favor the presence of a veterinarian, which the bill indicates. And, true, the State legislation does not require that. So, they are, in essence, in favor of the far majority of this bill.

There's one part of it that they're not in favor of, and that is the elimination of bucking straps on the animals. They say with the elimination of bucking straps, you, in essence, eliminate rodeo or rodeo related events.

That basically is the reason why I am not supporting it because I think that one aspect of the bill should have been removed because, in essence, we will eliminate rodeos.

And, again, I think what Council is doing, and I know I have done this myself, we keep jumping in and doing what the State should be doing many times. There is obviously a lack of enforcement here at the State level. At the previous event at the Civic Arena many of the violations that existed could have been cited by the Commonwealth if they would have had people present and would have done it.

So, again, we're doing their job and we constantly do that. And I don't know why we simply don't tell State government to do their job and to do it well.

Mr. Ricciardi:

I'd like to address that issue, Mr. President. Bucking straps are not only uncomfortable to an animal but very painful. And what proves that to me is that when an animal is bucking, that animal continues to buck even after the rider is thrown off or gets off until another horse and rider is able to go up and release it. And not to get into the details but most of us know where the bucking strap attaches to.

So, I want the bucking strap eliminated. I think it is not only uncomfortable to an animal but it provides pressure and is very painful to them. And what shows that to me is that after the bucking strap is removed, as Michelle Madoff pointed out after the public hearing, the horse or the animal stops bucking. So, I think that's a very important part of the legislation, the bucking strap.

Mr. Coyne:

Just to deal briefly with that same point. The rodeos portray themselves as having genuine bucking broncos and genuine bucking bulls. Well, these animals actually will buck without the strap, if that's what they actually are. I've been told they're bred to do that. They will buck with or without the strap. So, I think the rodeo still can come to Pittsburgh and, if they have genuine bucking horses, then the cowboy just has to get on and they just need to open the shute and the horse will buck. However, my contention is, the only reason the horses buck is because it's in a great deal of pain caused by the bucking strap.

The Chair:

Mr. Chairman, on Bills 1674 and 1675 regarding the transfer of property to the School Board for expansion of Perry Traditional Academy, we did respectfully ask for some information regarding the information of the arrangement of the lot blocks and which lots were, if any, in Riverview Park and are part of this transaction.

In Bill 1675, specifically lot block 341 and 225 mentioned in that bill are in Riverview Park and we did not receive this information from the Administration. So, I respectfully request that we recommit these bills to better understand exactly what we're transferring to the School Board.

Mr. Cohen seconded the motion.

Mr. Regan:

Discussion. I would like to say that Perry Traditional Academy is the only high school in the City of Pittsburgh without a new gymnasium. Their gym is probably one of the worst gyms in any high school in the United States, bar none. There is millions and millions of dollars standing out that could be lost for the renovation of this building, their gymnasium and swimming pool.

And I think it's totally unfair to hold this thing up any longer. There has been plenty of time. Anybody who was interested in it, they've had plenty of time to look this thing up and down and whatever way they wanted. I think it's damn time that Perry High School gets what it long deserves. And if anybody wants to take time out to go or have somebody on their staff go look it up, I think that's fine.

I think we ought to vote and we ought to vote today because the North Side and Perry High School is long overdue for something that

all the other schools in the City of Pittsburgh have had, a good gymnasium and a good swimming pool.

The Chair:

Mr. Ferlo, who was that information requested from?

Mr. Ferlo:

From Finance on the transfer of the property. From Director Hayllar. Mr. Murphy was at the table.

In response to my colleague, Mr. Regan, I certainly support the expansion of Perry Academy and would want to support in any way the transferring of property. But I do think it's not unreasonable nor is it unfair for us to ask for the information.

If we look at the map, and I have it before us, Lot 341 and Lot 225 are distinctly Riverview Park, part of Riverview Park. In this second bill that's in here, Bill 1675 specifically mentions those two lots. I don't think I'm being unfair or unreasonable and I don't think this in any way delays what eventually is probably going to happen. But I think we're just asking for the proper information from the Administration regarding the transfer of property. I'm not being an obstructionist.

Mr. Cohen:

Mr. President, I think this is a reasonable request. I don't think it's an attempted delay, that it's really an attempt to get more information. Frankly, I'm not prepared to vote on this unless I have more information. I have a basic problem with taking any parklands and I would just like an explanation of what that is. Nobody has lobbied me about this bill and I think that we should recommit and just take a few more days and just

re-examine it.

The Chair:

I would agree in that we hold it no longer than one week. In other words, we would definitely be voting on this bill a week from today.

Mr. Regan:

I would like my colleagues to be aware that there are millions and millions of dollars riding on this that, if we run out of time, then Perry High School is not going to get a new gymnasium, Perry High School is not going to get a new swimming pool, and Perry High School is going to be a second class citizen like they've been for a lot of years strictly because of the lousy facilities that those kids have to play under.

The Chair:

But we would hold it no longer than one week.

All in favor?

Michelle Madoff:

I had my hand up.

The Chair:

On the recommittal?

Michelle Madoff:

Yes. I think there's problem here. I think that not only do we hold it one week, but we make sure that the people who are supposed to give us the information give us the information in time so that if any transfers have to be made, if indeed that property is as Mr. Ferlo assumes, in the park and if it is imperative that that little bit

of land be transferred to the school so that they can have their playground, they get it. I know what you're talking about. I've been up there.

And it isn't just enough to say we'll wait a week and then we come back in a week and say, "Oh my goodness, it really is in the park. Now what are we going to do?" That is not the way we can function and I think you would agree with me, Mr. President.

So, would you not only ask that we define where the property is, but somebody meet with Mr. Regan immediately and work out any problem so that indeed we can vote with a clear title next week.

Mr. Regan:

I've just been told now that there have been plenty of meetings. We've had public hearings here. We've had many meetings in the neighborhood. And now it comes time to vote and nobody is prepared to vote. I think that that's totally unfair to those people on the North Side.

The Chair:

The problem that exists is that we have a Councilmember and a Council that has requested specific information from a City department and it has not yet been provided.

Mr. Regan:

That's not the fault of the kids playing in that gymnasium or the little girls and boys swimming in that swimming pool. That's not their fault.

And if they lose those millions of dollars, they're not going to have a facility like every other public high school in the City of Pittsburgh and I resent it.

The Chair:

You're absolutely right, Mr. Regan.

I am prepared to vote in favor of the bill and I believe every other Councilmember is, but I don't think that the appropriate department has provided sufficient information.

Michelle Madoff:

Can we hold this until the end of the meeting and get him up here?

The Chair:

That's fine, if it can be provided in writing. What you have asked for is information to be provided to Council with initial approval at last Wednesday's meeting. It's obvious that additional--

Mr. Ferlo:

We asked for an explanation, Mr. Chairman, of the various lot and blocks that were to be transferred and if any of those lot blocks are in Riverview Park and if they are why they are being transferred.

Clearly, Bill 1675 does indeed transfer land from Lot 341 and Lot 225 and based on the map, the City map of Riverview Park, that is part of Riverview Park. It may be that that's the best thing to do and we should still approve it, but I think we're at least owed an explanation.

The various public hearing had nothing to do with the transfer of the lot blocks. It had to do with rezoning the area.

The Chair:

Your motion is to hold Bill 1675 and not 1674?

Mr. Ferlo:

We could do both because they're complimentary bills, Mr. Chairman. My motion was to hold both bills for an explanation.

Mr. Regan:

With all due respect to the President Pro tem, we've gone over and over and over this same issue. How many times do we have to go over the same issue? How long do these people on the North Side have to wait for a facility equal to all other public schools?

Michelle Madoff:

Point of Order. I apologize to my colleagues and to the President of Council. I skimmed the bill and I didn't see that it says that "The proper officers of the City of Pittsburgh are hereby authorized to execute and deliver a quit claim deed in form approved by the City to the School District of Pittsburgh conveying all rights and interests, if any, in the City of Pittsburgh in the following properties."

That means the land has been transferred. Therefore, there's no reason why we can't vote today. That's what it says.

The Chair:

The land is not formally transferred until Council approves it.

Mr. Ricciardi:

If I could ask a question of a few of my colleagues at the other side of the aisle, this way I know how I could vote on this.

Mr. Ferlo or Mr. Cohen, are we saying that if the property is park property in this case,

these two parcels, that either one of you are having a problem transferring park property, in this case so Perry High School can build? Are you saying that you're having a problem transferring park property?

Mr. Ferlo:

That's an unfair question, Mr. Chairman. I think we're basically saying that at a Committee Meeting a number of Councilmembers asked about the various lot blocks and which ones, if any, were actually encroachment or taking of land in Riverview Park. It was a very fair and reasonable question. Unfortunately, the person at the table could not explicitly indicate to Council which properties were Riverview Park. Since that discussion, we were owed a written explanation and that has not come forward.

I don't think we're holding any project up. We're not withholding funds. These are public monies and I don't see this as a delaying tactic. I think we're owed information when we respectfully request it from the Administration.

Mr. Regan:

That same gentleman that didn't understand, I asked for a public hearing on the North Side and asked for a delay which you okayed. We had at least 100 people at a meeting on the North Side and it was voted unanimously that they go ahead with the project. All of a sudden now, a month later, we're stalled again.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Wagner
Mr. Ferlo	(Pres't)

AYES 5 NOES 4

VOTING NO:

Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Ricciardi

And a majority of the votes of Council being in the affirmative, the bills were recommended.

Also,

Bill No. 1676

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Two, 'Fiscal', Article I, 'Administrative', Chapter 201, 'City Treasurer', Section 201.08, 'Deposits, Reports, Accounts and Withdrawals', by amending subsection (g), 'Wire Transfers', and adding new procedures." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1680

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of USAIR Cargo, in the amount of One Thousand Nine Hundred Ten and 91/100 Dollars (\$1,910.91), in payment for the air freighting of zoo animals furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1699

A Resolution entitled, "Resolution authorizing the transfer of One Hundred Thirty Five Thousand (\$135,000.00) Dollars from the JTPA-1 Trust Fund, Index Code 260307, to the General Fund of the City of Pittsburgh's PSC-JTPA Indirect Reimbursement Cost Account, Index Code 015362, for reimbursement of indirect costs of the Job Training Partnership Act Program for prior fiscal years."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Milliones
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Mr. Ferlo Mr. Wagner
Michelle Madoff (Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

I would like to ask President Pro tem, Mr. Ferlo, to take over chairing the meeting. I must leave for personal reasons. Thank you.

Mr. Darkins presented

Bill No. 1749

Report of the Committee on Public Works for November 20, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1693

A Resolution entitled, "Resolution amending Resolution No. 279, effective March 21, 1990, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for the rental and repair of equipment in connection with the City of Pittsburgh's Capital Construction Division, and providing for the payment of the cost thereof,' by decreasing the total allocation by \$95,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Darkins

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Ferlo

(Pres't Pro tem)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

Bill No. 1750

Report of the Committee on General Services for November 20, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1677

A Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contract or Contracts to purchase Saber II Radio Equipment for the Bureau of Police and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Millions
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Michelle Madoff Mr. Ferlo
 (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1751

Report of the Committee on Public Safety for
November 20, 1990 transmitting one resolution
to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1678

A Resolution entitled, "Resolution providing for
an Agreement or Agreements with Instructors to
conduct yearly mandatory in-service training
for police officers required by the Pennsylvania
Municipal Police Officers' Education &
Training Commission to be held at the Public
Safety Training Academy and providing for the
payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass
finally?"

The ayes and noes were taken agreeably
to law, and were:

Ayes:

Mr. Cohen Mr. Millions
Mr. Coyne Mr. Regan
Mr. Darkins Mr. Ricciardi
Michelle Madoff Mr. Ferlo
 (Pres't Pro tem)

AYES 8 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

Mr. President Pro tem, last week in my
Committee on General Services you introduced
Bill 1692 which had to do with the leasing of
certain property in the 17th Ward to be used by
the Department of Public Safety for tow pound
activities.

I have been contacted by residents of the
area and they have requested that Council hold a
public hearing prior to discussing that vote in
Committee. So, I'd like to make a motion that a
public hearing be held on Bill No. 1692.

Mr. Regan seconded the motion.

Which motion prevailed.

The Chair, Pro tem:

The motion passes and we'll refer it to
Council President Wagner to set a public hear-
ing.

And on the motion of Mr. Coyne

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, December 4, 1990

No. 47

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, December 4, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Darkins:

Would those of the Pittsburgh Police Athletic Association please come forward? Players and coaches.

Mr. Darkins presents

No. 1837 WHEREAS, Will Macon, Leon Agnew, Lonnie Adams, Bruce Patterson, Eric Dinyar, Malik Hightower, James Billingsley, Eddie Benton, Frank Tomera, Dave Masciola, Kirk Hodgson, Ernest Giles, Howard Bullard and Dave Pastorkovich have represented the Western Pennsylvania Police Athletic League with honor and dedication; and

WHEREAS, these individuals have competed in the Three Rivers Basketball Congress "National Invitation Tournament" at Arizona State University; and

WHEREAS, the team and coaches achieved a sixth place standing in a national competition and were recognized for their togetherness and unity; and

WHEREAS, the Western Pennsylvania Police Athletic League Seeks to develop the positive character of young men and assist them in setting high academic goals; and

WHEREAS, these players and coaches are people worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Western Pennsylvania Police Athletic League for its dedication to the development and enhancement of young people.

Mr. Darkins moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have here today Mr. Ed Davis and the coaches and the players and Mr. Davis will come and if he so sees fit some of the coaches will speak also.

Mr. Davis:

Thank you, Councilman Darkins, Councilman Wagner, Members of Council. You have before you members of the Three Rivers Basketball League Elite All-Star Team. There were 10 out of about 200 that represent the best that Western Pennsylvania has to offer.

These gentlemen achieved a remarkable sixth place showing out of about 40 teams competing in a national invitational tournament.

We thank you for your special recognition today.

May I quickly introduce them to you so that you'll know them in the future. To my left here is Malik Hightower who will be playing at Perry High School; Coach Howard Bullard, Alderdice High School; Coach Dave Pastorkovich of Mars High School; Eddie Benton of Perry High School; James Billingsley of Perry High School; Ernest Giles of Alderdice

High School; Bruce Patterson of Langley High School and there are some major, major schools hot on his trail as well as Malik; and Dave Masciola of Canevin High School.

We have a quick presentation. I hope this is appropriate. This is Chet Friedman who is the CEO of the Western Pennsylvania Police Athletic League, and Aspinwall's finest.

Mr. Friedman:

We present this in recognition of a man's effort, commitment and spiritual guidance to this team. Without him, the team would not be in the position it is now. So, it gives me great pleasure to present this plaque to Reverend Darkins on behalf of the Pennsylvania Police Athletic League and the Three Rivers Basketball Team.

Mr. Darkins:

I am really excited. I wasn't expecting this this morning.

I want to say to you, thank you ever so much. It's been a joy as well as a pleasure working with the League this year. I enjoyed visiting both high schools and watching the young men play.

I must say again, I am really excited. Thank you so much.

The Chair:

Thank you all.

Mr. Darkins:

Mr. Bill Neal, would you come forward, please?

Mr. Darkins presents

No. 1838 WHEREAS, the Champions Association, under the leadership of William R. Neal, Jr., has enabled young people from all backgrounds to become high achievers; and

WHEREAS, the Champions Association has uplifted the African American community through positive role models and innovative programming; and

WHEREAS, the Champions Association is a non-profit organization that has sponsored basketball camps, summer basketball leagues, anti-drug and pro-health lectures and educational exchanges; and

WHEREAS, the Champions Association will sponsor the 15th Annual Willie Stargell Pittsburgh M.V.P. Awards Banquet at the Allegheny Club which will highlight the positive contributions of prominent Pittsburghers; and

WHEREAS, the Champions Association is an organization most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes the Champions Association and its capable Executive Director, William R. Neal, Jr., for their invaluable contribution to the young people of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have Mr. Bill Neal here, the Executive Secretary, and he might like to have some-

thing to say.

Mr. Neal:

Thank you very much. I would like to simply add to the words of Ed Davis and his colleague that without the on-going assistance of Councilman Duane Darkins, better known in the community as Reverend Duane A. Darkins, a great deal of what we've been able to accomplish over our 15 year history would not have been able to do so. We have been very fortunate in our community to be able to have a man like him behind us.

I would also like to congratulate everyone that is directly involved with the Champions Association from my position, the Board of Directors, the Executive staff, individuals like Connie Hawkins and Kenny Durett and the gentleman standing next to me who have helped make the program the success it has been.

To keep it very short, I will simply say that there are a lot of problems that we face in our community and it takes a great deal of support and a great deal of contributions from all directions to combat those problems and the Champions Association hopes to be around for another 15 years to do that.

The gentleman that is standing with me a lot of you may recognize as Ron Carter out of Perry High School some years ago. He went on to VMI where he established himself as a legend there. He broke all of their basketball scoring records and was drafted by the Los Angeles Lakers. After playing with the Lakers and the Indiana Pacers, he retired from basketball.

He epitomizes the kind of things that the Champions Association is about. A young man that came from the city without many people giving him an opportunity or a chance to make it, having come from Perry High School and

gone all the way to the top. I present to you Ron Carter.

Mr. Carter:

It's a real pleasure to be here. I flew in from Los Angeles just to tell all of you who have been supporting the Champions Association, the programs that Bill Neal puts forth, both athletic, academic and spiritual, that it works. I am a product of Perry High School, I am a product of this City, I am a product of the Champions Association, Ozanam Culture Center, Northview Heights, and through those experiences, Champions being a major factor, I have been able to go on to both the professional rank in athletics and also pursue graduate degrees from two universities.

Actually, I'm just here to tell you that it works and thank God you all are here and don't stop supporting the Champions Association. Thank you very much.

The Chair:

Thank you.

Mr. Ferlo:

I'd like to ask Dr. Jay Passavant to come forward, please. He's from the North Way Christian Community Church.

Mr. Ferlo presents

No. 1839 WHEREAS, North Way Christian Community was established nine and a half years ago in the community of Wexford; and

WHEREAS, Dr. Jay Passavant is Senior Pastor of North Way Christian Community which presently has a membership of 1600 persons; and

WHEREAS, North Way Christian Community members have a heart for the entire City of Pittsburgh and have developed longstanding and ongoing work with effective inner-city ministries such as Greater Love Outreach, Youth Opportunities Unlimited and Urban Partners; and

WHEREAS, in keeping with North Way Christian Community's service to the needy throughout the City, each year Dr. Jay Passavant and other organizations have hosted a Christmas Banquet and invited those persons who are in greatest need to partake in a full-course turkey dinner and other gifts of the season with approximately 4,000 people in attendance at the 1988 and 1989 banquets; and

WHEREAS, the banquet providers recognized that the needs of our City are worthy of even greater expenditure of effort and have joined forces with Larry Jones, Executive Director of Feed The Children, an international organization which feeds hungry children worldwide, in order to conduct "Operation Care: Pittsburgh"; and

WHEREAS, David Van Gorder of North Way Christian Community will be coordinating the massive food distribution in which scores of agencies, local church ministries and other need-meeting agencies throughout Pittsburgh will distribute approximately 250,000 to 1,000,000 pounds of food to City residents in need; and

WHEREAS, the distribution will take place on December 7 and 8, 1990 at the Three Rivers Stadium parking lots with absolutely no cost to the persons who have registered to receive food, and all food will be apportioned according to predetermined criteria.

NOW, THEREFORE, BE IT RE-

SOLVED, that the Council of the City of Pittsburgh does hereby applaud the outstanding service of the volunteer organizations and individuals who will foster the holiday spirit of giving by conducting the largest free food distribution in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 7, 1990 to be Operation Care: Pittsburgh Day in the City of Pittsburgh.

Mr. Ferlo moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Ferlo:

Thank you, colleagues. I just want to introduce Dr. Jay Passavant who has helped to coordinate this activity. This is certainly a tremendous undertaking for this year and I'm sure he has the cooperation of our City government and lots of other agencies throughout the City of Pittsburgh.

I'd like to introduce Dr. Passavant and have him say a few words about this important activity. Thank you.

Dr. Passavant:

Councilman Ferlo, President Wagner and all Councilmembers, I want to say on behalf of North Way Christian Community and the other 340, as of this time, organizations who are part of Operation Care: Pittsburgh, thank you for this resolution and your support of this event.

Our desire is to do something to help meet the needs of the thousands of people of this City that you and I know who are in need. We believe at this Christmas season there's no better

or more tangible way to express the love of Jesus Christ to people than through feeding them with fresh food and other vitally important necessities.

We think at this point that it's possible for us to make a tangible, a very visible demonstration of that love through this food giveaway and we are delighted that so many have signed on with us.

Clearly, this is just the tip of the iceberg. I'm aware that one event does not meet the needs of people over a long period of time. However, our desire is that somehow we'll motivate others along with us to make a difference.

I hope that the message that is coming through to Council today is that individuals can pull together, combine their resources, make a contribution to help alleviate the suffering and pain of people at this time.

I appreciate your support. We look forward to working with you in the future. Thank you very much for this resolution.

The Chair:

Thank you.

Mr. Regan:

I'd like to have the Police and the Blair family come up here, please.

It is with great pride that I have the honor of reading a resolution this morning for Sergeant James T. Blair who lost his life in an accident last week. He's one of the finest police officers the City of Pittsburgh has ever had.

Mr. Regan presents

No. 1840 WHEREAS, due to an unfor-

tunate accident which took the life of Sergeant James T. Blair, the City of Pittsburgh has lost a true professional and dedicated employee; and

WHEREAS, Sergeant Blair's charm and friendliness endeared him to his comrades and his attitude prevailed in his everyday dealings with the public; and

WHEREAS, Sergeant Blair was a loving husband to his wife Vivian Rovinski Blair and role model to his three sons, James, Donald and Thomas, and big brother to sisters Jean and Toni; and

WHEREAS, as we know, a policeman's life is the essence of stress and fraught with danger, but Jim Blair went about his everyday duties in a manner which gives courage and character to all who are involved in public safety and protection; and

WHEREAS, may his spirit always be remembered by those who knew and admired him.

NOW, THEREFORE, BE IT RESOLVED, that in honor of Sergeant James T. Blair, the Members of Pittsburgh City Council proclaim Tuesday, December 4, 1990 as Sergeant James T. Blair Day in the City of Pittsburgh.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

This resolution in on behalf of all the City Council and the whole City of Pittsburgh.

I'm also going to ask permission from Council and the famous Mayor of the City of

Pittsburgh that we name the Traffic Division Building in the Strip as the Sergeant James T. Blair Building. That can't be done today but I'm going to ask to put that into the works and see if we can name that building after this Sergeant.

I now would like to ask Director Cannon to say a few words.

Director Cannon:

I would just like to thank Councilman Regan and City Council for this honor today honoring one of our fine police officers and particularly one of our fine traffic sergeants.

Chief DeRoy also has a few comments.

Chief DeRoy:

You know, police work at best can be frustrating and it can be rewarding. But as Councilman Regan has pointed out, many, many times, and it's illustrated in this little dissertation he usually gives, when the paramedics show up, you're in pain and they put needles in you, they shove a thermometer in you, either end, they do all their wonderful things and everybody says, "Gee, what great guys they are."

And at times, the firemen, they're called. They come to your home, they knock your windows out, of course all in the line of duty. They put holes in your roof and then they flood your house. And they're the greatest guys in the world.

Now, the police answer a routine call and many times somebody will yell out the window, "Get the heck off my property unless you've got a search warrant." Sometimes the job can really be painful. Sometimes we're undermanned, out-gunned and second-guessed and, by God, we're second-guessed many, many times. Sometimes we go to court only to see a

criminal walk out either on a technicality or for some other reason. Sometimes morale is seriously affected, and these are the things that lead to morale.

Then the officer says, especially during the hours that he's not working that diligently, kind of relaxing slightly, he says, "Does anyone really care?" You know, I've asked that question myself during the 34 years that I've been around. But we continue on and we do a good job and sometimes a thankless job.

But today, after the supreme sacrifice of James T. Blair, one thing is for sure; we know that somebody does care and City Council did, especially Bernard Regan. And we in the Bureau of Police thank him and I'm sure the Blair family likewise thanks him. Thank you all.

Mr. Regan:

I'd now like to give these resolutions to the Blair family and I would like to say this. When you're a little kid and you're in trouble, you holler, "Mom". And when anybody is in trouble they holler, "Police". So, no matter what anybody ever says about a policeman, you're the first guy, he's the first man or woman you holler for, Councilwoman, when you're in trouble.

And I say that when we kneel down at night and say our prayers, and when we say God bless America, we should say, God bless the Police and especially Sergeant James T. Blair and his family for the sacrifice that they've made for the City of Pittsburgh. Thank you.

The Chair:

Councilman Regan, while you're handing those out I'd like to make a brief comment.

On behalf of my colleagues, certainly the Blair family, again, you have our prayers and

our heartfelt sympathy.

And I want to state something that really impressed me and that is that just about every one of these officers and many others have said to me and to Councilmembers, "What a great professional Sergeant Blair was." There's no better group than the professionals within the same ranks, I think, to make that comment. And that really tells us something about Sergeant Blair.

I think Councilman Regan's idea to name the Traffic Building after Sergeant Blair is a great idea and it would be a tribute to the City of Pittsburgh. Thank you.

Mr. Regan:

Now Thomas Blair, Sergeant Blair's son would like to say a few words.

Thomas Blair:

On behalf of my family and friends, we'd like to thank City Council for all they've done and it always will be remembered by us. Always. Thank you.

Mr. Regan:

I'd just like to thank Director Cannon and especially Chief DeRoy for the show of police officers. I have never in my life seen more shined shoes and men and women look better in my life than they did to go there and honor Chief Blair.

And I also would like to thank the State Police. I would like to thank the police in the townships and boroughs who blocked the way on the way to the cemetery. They blocked every road on the way out to the cemetery and at ever crossing the policemen from those townships and boroughs stood at attention. And I'll tell

you, I was never prouder to be a Pittsburgher and never prouder to know a man like Jim Blair in my life. Thank you very much.

The Chair:

Thank you.

Mr. Regan:

I'd like to have the Perry High School City League Champs Football Team come up here with their Principal, Mr. Aluise and Mr. Catanese, their Coach.

This is the great Perry High School Football Team, the City League Champs, who have compiled an overall record in the last two years of 24 wins and 1 loss. I think that they not only have done a fantastic job in the sports field, they're doing a good job at Perry Traditional Academy as students. And that's really what we're all about here.

I'd like to read this resolution in honor of this team and in honor of their Principal, Patsy Aluise, and Coach Catanese, their famous Coach.

Mr. Regan presents

No. 1841 WHEREAS, the Perry Commodores High School Football Team won the City League Championship Title, with a victory over Oliver on Saturday, October 27, 1990; and

WHEREAS, the Commodores won a back to back City Title with a record of 11 wins and 0 losses; and

WHEREAS, the Perry Commodores championship team is comprised of the following players: Larry Brown, Deon Triplett, Abu Whitaker, Dan Troiano, Montele Crawford, Lonnie Syke, John Tracy, Anthony Zenmon,

Lanier Freeman, Lewis Waters, Shawn Barrett, Evans Moore, Paul Chaffee, Vernon Vereen, Chris Patton, Jamiel Curges, Mike Coates, Andy Kust, Kahlil Curges, Charles Pinnick, Patrice Howze, Marquise Evans, Richard Macklin, La-Mont Dandridge, Shawn Kennedy, David Lazaro, Tony DeCarlo, Mitch Coles, Dave Barr, Ramon Waldon, Dave Johnson, Donald Payne, Wakike Jones, Dorian Couzzens, Mike Weimer, Dave Eubanks, Steve Singleton, Curtis Johnson, Lloyd Fowler, Buddy Richter, Ken Scanlon, Regis Bane, Dennis Martin, Ted Carter, Harry Jackson, Ken Roebuck, Qwyn Durrett, Chad Skrocki, Demetrius Waldon, Joe Woods and Jerry Lundy; and

WHEREAS, other faculty members contributing to the success of this championship include Head Coach Gus Catanese, Assistant Coaches Dave Helon, Richard Nash and Pat Walsh, Principal Pat Aluise and Athletic Director Harry Stephens; and

WHEREAS, the Perry Commodores Football Team has brought competitiveness to the City of Pittsburgh Football League.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby extends its sincere commendation to the Perry Commodores High School Football Team on winning the City League Championship. "IT COULD ONLY HAPPEN IN AMERICA!"

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Thank you very much. I'd like their Principal, Mr. Aluise, to say a few words.

Mr. Aluise:

I'd like to thank Mr. Regan and City Council for honoring our football team. We did leave one name off; Mr. Bryant is also an assistant coach who is very instrumental in our success.

Again, as Councilman Regan indicated, we're very proud not only of the fact that they are very good competitors on the football field, but they do their work off the field as well. Many of our youngsters here are honor roll students and out of the 13 seniors, I believe all 13 will be going on to college. So, that's a credit to them and their coach, Mr. Catanese. Thank you.

Mr. Regan:

I'd like to give you Coach Catanese who last year went up and played Berwick for the State Championship. They were a 35 point underdog and they ended up winning the game which was one of the greatest thrills of my life watching these kids from the City League go up there and beat the famous Berwick who were ranked, at the time, 3rd in the nation.

Mr. Catanese:

Thank you, Councilman Regan. Thank you all for having us here. We certainly are delighted to be here and to represent the North Side in the City Championship. Even though we did beat another North Side Team, Councilman Regan, I'm sure you don't mind.

Like I said, we're delighted to be here and we're just sorry that we fell a little bit short in our bid to go on to the State Championship game. We would like to have given Councilman Regan another opportunity to assess us a 15 yard penalty, but perhaps he'll be with us next year. Thank you very much.

Mr. Regan:

Thank you very much. Fellows, does somebody want to speak for the team?

Player:

On behalf of our teammates, coaches and managers, and our principal, I'd just like to thank you all for having us here.

Mr. Regan:

Thank you very much and good luck, Coach.

Now I'd like to ask Coach Shay and his wife, Cindy, to come up. Dr. John Kinsmore, would you please come up? Pat McDonald, would you please come up? And any other teachers from the Community College of Allegheny County that are here.

I'd now like to read this resolution for Coach Bill Shay who at the Community College of Allegheny County last year not only won the National Championship but was picked as National Coach of the Year.

Mr. Regan presents

No. 1842 WHEREAS, Bill Shay has completed 22 seasons as Allegheny Community Basketball Coach, has compiled an amazing record of 522 wins and 150 losses and ranks among the top junior college coaches in the nation; and

WHEREAS, Bill Shay finished the 1989-90 season in dramatic fashion as his Cougars erased a 19 point deficit and went on to defeat Muskegon Community College of Michigan 85-76 to capture the NJCAA Division 2 National Championship at Bay City Michigan; and

WHEREAS, Bill Shay was named the NJCAA Division 2 Coach of the Year with his outstanding record of 36-2; and

WHEREAS, during Coach Shay's career, Bill's Teams have made six NJCAA National Tournament appearances and have made an unprecedented 21 consecutive Regional Tournament appearances; and

WHEREAS, Bill Shay has won thirty games in a season four times and twenty games in a season sixteen times; and

WHEREAS, Bill Shay is a former Scout in the National Basketball League with the Pittsburgh Pipers and the Cleveland Cavaliers; and

WHEREAS, Bill Shay received his Bachelor's Degree from the University of Pitt and his Master's Degree from Michigan State University; and

WHEREAS, Bill Shay started the Pittsburgh Steelwheelers which are still playing before many crowds; and

WHEREAS, in his 22 years of coaching, over 90% of his players have graduated from CCAC and 80% have graduated from 4 year schools, stressing that education is forever and school is the first priority.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh proclaims Tuesday, December 4, 1990 as Coach Bill Shay Day in the City of Pittsburgh in recognition of Coach Shay's outstanding career.

Mr. Regan moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Regan:

Coach Shay, it's not every day you get a day named after you in the City of Pittsburgh.

Mr. Shay:

Councilman Regan, President of Council, Members of City Council, a most sincere thanks for this honor. And on behalf of Dr. Kinsmore, Pat McDonald and my wife, Cindy, who are with us here from the Community College, it's most certainly been for us a very gratifying experience to get an education and really to come here today and see all the things that go on that Council provides for all the people in this area. I mean that sincerely. You just never get to see what goes on in the City until you have a chance to come and see all the things that happen, all the energy and all the enthusiasm that you provide for us.

Again, thank you very much.

Mr. Regan:

This is Coach Shay's wife, Cindy, and they have two lovely daughters that are attending class at Indiana University of Pennsylvania, so they couldn't be with them today.

But we did have the guy that controls his salary come down here and make a personal appearance today, the Honorable John "Mac" Kinsmore, the President of Community College of Allegheny County.

Dr. Kinsmore:

Before I came here a year ago, the one person I had heard of in Pittsburgh, because I was in the Community College, was Bill Shay and the reputation he had as a winning basketball coach over the years.

I think the thing that has been most wonderful for me is to work with him for a year. And all the things that were said about him were true, as far as a winning basketball coach. But what I didn't know is that he really did have his priorities absolutely in order. And the statistics Baldy read, in a community college you don't know how rare that is in intercollegiate sports in a community college across this country. Last year I believe there were 9 sophomores; all 9 of them got college scholarships and they're all playing college ball now.

He is a special man and it's really terrific that you've honored him. Thank you.

Mr. Regan:

The only thing I can say about Coach Shay is, he takes care of people first. And if you called Coach Shay at 6:00 in the morning, he's in his office with some student that is trying to get ready to go to school.

I've seen many a great basketball player when I was sitting with Bill Shay, and I mean great, great basketball players, that were borderline because of a problem they may have had, and Coach Shay would say, "Listen, son, you go to school and come back next year." Here's a great athlete say, "Hey man, I'm a great star." And he says, "I'll help you. Get a year of college in and I'll do whatever I can to help you. But as far as you're athletic ability goes, you're class-work comes first and I'm sure we can work you onto the team if you're willing to make that sacrifice."

I'd like to also say hello to Pat McDonald who is Secretary to the President. You can't get any stronger than that because you can't get to him without going through her. That's why I made sure she was up here. Thanks a lot. Have a nice day.

The Chair:

Thank you all.

Mr. Cohen presented

No. 1755 Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of \$13,942.89 for the final payment of an Emergency Contract to perform repairs on Clarence Street between Greenleaf Street and Well Street, in the the 19th Ward of the City of Pittsburgh, payable from Code Account 3-13-30-0001-90, "1989 Project Fund". (PRIOR APPROVAL GRANTED)

Also,

No. 1756 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$8,142.15 in payment of railroad flagging expenses incurred during the Reconstruction of the Larimer Avenue Bridge, payable from Code Account 4-13-05-0605-89.

Also,

No. 1757 Resolution providing for the transfer of \$350,000.00 to the "Public Safety Complex Trust Fund", which represents the City's share of preschematic design services of Phase I of the Public Safety Complex, which includes the Public Safety Building, a courts' facility and the initial stage of a Parking Authority garage.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1758 Resolution further amending Res. No. 967, eff. October 16, 1985, as amended

by Res. No. 241, eff. April 2, 1986, as amended by Res. No. 747, eff. September 15, 1986, as amended by Res. No. 257, eff. March 21, 1990, entitled "Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for architectural, engineering, graphic design and construction management services in connection with the design of the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$70,000.00 from \$895,000.00 to \$825,000.00, chargeable to and payable from Code Account PR 81-02 - \$665,000.00 and Code Account PR 83-02 - \$160,000.00.

Also,

No. 1759 Resolution amending Res. No. 341, eff. April 21, 1989, entitled "Providing for a Contract or Contracts, or use of existing Contracts, for the Implementation of the Zoo Master Plan, Phase 4.03; and providing for the payment of the cost thereof," by increasing the total project allocation by \$1,050,000.00 from \$85,000.00 to \$1,135,000.00, chargeable to and payable from Code Account 3-13-60-1230-89 - \$85,000.00 and Code Account 3-13-6-1230-90 - \$1,050,000.00.

Also,

No. 1760 Resolution amending Res. No. 665, eff. July 11, 1990, entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for preschematic and site planning architectural services in connection with the new Public Safety Building and the possible site; and providing for the payment thereof," by providing for a Supplemental Agreement or Agreements, and by increasing the total project allocation by \$570,000.00 from \$250,000.00 to \$820,000.00, chargeable to and from Code Account 3-13-95-2055-90 - \$250,000.00 and Code Account Public Safety

Complex Trust Fund - \$570,000.00.

Also,

No. 1761 Resolution providing for the creation of a special trust fund to be known as the "Public Safety Complex Trust Fund" for the deposit of funds to be used for the design and construction of the new Public Safety Complex. Upon completion of said project, the unexpended funds shall be redeposited in the Dept. of Engineering and Construction's Unrestricted Cash and Credit Code Account 3-13-95-2055-90, Index Code #816033, 1989 Project Fund.

Also,

No. 1762 Resolution further amending Res. No. 1061, eff. January 1, 1990, as amended, entitled "Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program," by increasing a line item (new Public Safety Building) by \$350,000.00 from \$250,000.00 to \$600,000.00.

Also,

No. 1763 Resolution authorizing a Cooperation Agreement with the URA of Pgh. the County of Allegheny and the Public Parking Authority of Pgh. for the development of the CSX Parcel in the 1st Ward of the City of Pittsburgh.

Also,

No. 1764 Resolution providing for the taking of property in the 26th Ward, City of Pittsburgh, owned by A.S.Y. Enterprises, Inc. a Pennsylvania Corporation for the relocation of street rights-of-way in connection with the reconstruction of Harpen Road and necessary

slope easement and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 1765 Resolution providing for the taking of property in the 26th Ward, City of Pittsburgh owned by N. Enoch, an individual, for the relocation of street rights-of-way in connection with the reconstruction of Harpen Road and necessary slope easement and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Which were severally read and referred to the Committee on Engineering and Construction.

Mr. Coyne, Mr. Darkins & Mr. Milliones presented

No. 1766 An Ordinance amending the Pittsburgh Code of Ordinances, Title One - Administration, Article VII - Procedures, Chapter 161 - Contracts, Section 161.12 BID AND PERFORMANCE BONDS, Section 161.13 BONDS ON SMALL CONTRACTS, and Section 161.14 LABOR AND MATERIAL BOND.

Also,

No. 1767 An Ordinance amending the Pittsburgh Code of Ordinances, Title One - Administration, Article VII - Procedures, Chapter 161 - Contracts, Section 161.02 Competitive Bidding; Exceptions, by defining the term "lowest responsible bidder".

Which were read and referred to the Committee on General Services.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only

until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed

Mr. Coyne presented

No. 1768 Resolution providing for the issuance of a warrant or warrants in the amount of \$47,981.58 to Mon Valley Petroleum, for payment in full in connection with the City's gascard program, payable from Code Account 1144, General Services Automotive, Gasoline and Diesel.

Also,

No. 1769 Resolution providing for the transfer of funds totalling \$15,000.00 from Code Account 1133, Bureau of Operating Maintenance and Repairs, Salary, Regular Employees, to Code Account 1140, Automotive Salary, Regular Employees, within the Dept. of General Services, in order to meet the obligations of the payroll for the remainder of the year 1990.

Also,

No. 1770 Resolution providing for the transfer of funds totalling \$20,000.00 from Code Account 1927-9, Workers' Compensation, Dept. of Water, to Code Account 1132-9, Workers' Compensation, Dept. of General Services, in order to meet the obligations of the payroll for the remainder of the year 1990.

Which were severally read and referred to the Committee on Finance.

Mr. Darkins presented

No. 1771 Resolution transferring the sum of \$45,000.00 from Code Account No. 1173, Recycling Services, to Code Account No. 1167, Wages, Regular Employees, in the Department of Environmental Services. The transfer is necessary to cover the additional cost of the negotiated 5% increase union settlement.

Also,

No. 1772 Resolution transferring the amount of \$610,000.00 from 1608, Salaries and Wages, Regular Employees, all within the Department of Public Works.

Which were read and referred to the Committee on Finance.

Also,

No. 1773 Resolution providing for a Sewage Service Agreement with the Allegheny County Sanitary Authority, and the Borough of Franklin Park.

Also,

No. 1774 Resolution amending Res. No. 854, eff. August 24, 1990, entitled, "Providing for the issuance of a warrant in favor of the Traco Co., in the amount of \$5,620.00 in payment for windows for the addition to the Public Works' General Office Building," by changing the Code Account, chargeable to and payable from Code Account PW 89-16, Capital Construction.

Also,

No. 1775 Resolution providing for a Contract or Contracts, or the use of existing Contracts for the renovation of repair of various parking lots throughout the City of Pittsburgh,

chargeable to and payable from Code Account "Schenley Park Plaza and Various Parking Lots Trust Fund". (PRIOR APPROVAL GRANTED)

Also,

No. 1776 Resolution amending Res. No. 1031, eff. October 12, 1990, entitled, "Providing for an Agreement or Agreements, or the use of existing Agreements with the Pittsburgh Public Parking Authority, for the renovation or repair of various parking lots throughout the City of Pittsburgh; and also to create a trust fund entitled, "Schenley Park Plaza Trust Fund," by changing the title of the Code Account.

Which were severally read and referred to the Committee on Public Works.

Mr. Darkins moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Regan seconded the motion.

Which motion prevailed

Also,

No. 1777 Resolution providing for an Agreement with the Borough of Greentree on the use of their type one landfill at the Parkway West Center Mall in lieu of an exchange of services for a 75' x 150' asphalt pad.

Also,

No. 1778 Resolution authorizing the Mayor and the Director of the Dept. of Public Works to enter into a License Agreement with

Presbyterian University Health System, Inc. for the occupation of the public right-of-way in DeSoto Street, 4th Ward, District #8, with electric lines.

Also,

No. 1779 Granting unto Presbyterian University Hospital, DeSoto and O'Hara Streets, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a pedestrian tunnel and access doors under a portion of the right-of-way of DeSoto Street in the 4th Ward, District #8 of the City of Pittsburgh. This request is made by Presbyterian Hospital for a pedestrian crossing and a tunnel across DeSoto Street.

Which were severally read and referred to the Committee on Public Works.

Mr. Ferlo presented

No. 1780 Resolution providing for the designation as a Historic Structure under Section 513 of Chapter 1007 of the Code of Ordinances that certain structure known as the Soldiers and Sailors Memorial Hall of Allegheny County, more particularly located at the corner of Bigelow Boulevard and Fifth Avenue, and including all of the property bounded by Bigelow Boulevard and Fifth Avenue, University Place, and O'Hara Street, designated as Block and Lot Number 27-R-78, and located in the Fourth Ward, City of Pittsburgh.

Also,

No. 1781 Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Western Manor, Incorporated, for authorization

to convert the existing four-story structure located at 2851 Bedford Avenue, identified as Building "A" into 31 dwelling units for the elderly, and one (1) for a resident manager with parking to accommodate 13 automobiles, on property zones "R4" Multiple-Family Residence District, 5th Ward, Council District No. 6.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed

Also,

No. 1782 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Paul J. and Richard F. Miller for the sale of Block 61H Lot 384 and Parts of Lots 385, 386, 388, 389, 391 and 392, for the sum of \$5,000.00, 29th Ward. The redeveloper owns the adjacent property and operates a mobile home sales business located at 1411 Saw Mill Run Blvd., Pgh., PA 15210. They will use this site as addition storage area. The property is bounded by Reflectorville Road (not opened) and Saw Mill Run. It is accessible through the redevelopers' adjoining property. The property contains approx. 21,000 square feet. Council District No. 4.

Also,

No. 1783 Resolution authorizing the URA of Pgh. to acquire all of the City's right,

title and interest, if any, in and to the publicly-owned property in the 17th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny County, as Block 3K Lot 90 (719 Arlington Avenue), for the sum of \$1.00, under the Residential Land Reserve Fund. The lot is being acquired for sale to Paul and Charlotte Bobak, the owners is the adjacent residential structure. The City acquired a portion of their property containing the front steps to the house in order to widen Arlington Avenue. New steps were constructed on Lot 90. The property contains approx. 4,489 sq. ft. and will be used for access and sideyard. Council District No. 3.

Also,

No. 1784 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Paul & Charlotte Bobak for the sale of Block 3K Lot 90 (719 Arlington Avenue), in the 17th Ward of the City of Pittsburgh, for the sum of \$350.00, Council District No. 3. (SIDEYARD)

Also,

No. 1785 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 19th Ward, City of Pgh., designated in the Deed Registry Office of Allegheny County, as Block 35F Lot 69 (1626 Belasco Avenue), for the sum of \$1.00, under the Residential Land Reserve Fund. This property is being acquired for sale to Ronald A. and Cynthia G. Godek, the owners of the adjacent residential structure. They plan to use it as a sideyard and for expansion of their driveway. The lot contains approx. 3,000 sq. ft. (Council District No. 4).

Also,

No. 1786 Resolution approving

execution of a Contract for Disposition of Land by and between the URA of Pgh. and Ronald A. & Cynthia H. Godek for the sale of Block 35F Lot 69 (1626 Belasco Avenue), for the sum of \$500.00, 19th Ward, City of Pittsburgh, Council District No. 4. (SIDEYARD)

Also,

No. 1787 Resolution authorizing the URA of Pgh. to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 15th Ward of the City of Pgh. designated in the Deed Registry Office of Allegheny, as Block 29S Lots 102 & 104 (11-13 Forrester), for the sum of \$1.00, under the Residential Land Reserve Fund. This property is being acquired for sale to William Roy and Gloria Jean Crum who are constructing a house on the adjacent property. They will use these hillside lots as a sideyard area. The lots contain approx. 7,700 sq. ft., Council District No. 5.

Also,

No. 1788 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and William Roy & Gloria Jean Crum for the sale of Block 29S Lots 102 & 104 (11-13 Forrester), in the 15th Ward, City of Pgh., for the sum of \$700.00, Council District No. 5. (SIDEYARD).

Also,

No. 1789 Resolution authorizing the URA of Pgh. to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 1st Ward, City of Pgh. designated as Block and Lot 2-M-211-C (1628 Watson Street) in the Deed Registry Office of Allegheny County, for the Fair Market Value, under the Residential Land Reserve Fund. This property contains approx. 900 sq. ft. and is being acquired for reuse as a courtyard.

Daniel J. Waldman and Morris A. Waldman own Belmont Contract Furniture located at 1621 Forbes Avenue. They also own other vacant parcels next to their business. This acquisition will complete their assemblage of vacant parcels next to their building enabling them to secure and beautify the area. Council District No. 6.

Also,

No. 1790 Resolution approving execution of a Contract for Disposition of Land by and between the URA of Pgh. and Daniel J. Waldman and Morris A. Waldman for the sale of Block and Lot 2-M-211-C (1628 Watson Street), for the sum of \$300.00, 1st Ward, City of Pgh, Council District No. 6 (COURTYARD).

Also,

No. 1791 Resolution authorizing the URA of Pgh. to condemn and acquire properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh. These properties are being acquired for resale to redevelopers for reuse as sideyards.

Also,

No. 1792 Resolution approving execution of Contracts for Disposition of Land by and between the URA of Pgh. and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARD).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1793 Resolution providing for the transfer of funds totalling \$38,000.00 from Code Account 1922, Misc. Services, Dept. of Water, to Office Code Account 1043, Misc. Services, City Information Systems. This transfer will cover various hardware, software, servicing and administrative costs incurred by City Information Systems for Dept. of Water computer equipment during 1990.

Which was read and referred to the Committee on Finance.

Also,

No. 1794 Resolution authorizing the Mayor, the Director of the Dept. of General Services and the Director of the Dept. of Water to execute a deed of easement granting the Borough of Fox Chapel and the Fox Chapel Sanitary Authority the right to construct a sanitary sewer on land occupied by the City's Water Treatment Plant in exchange for the City's right to connect into the sewer sewage facilities serving the Water Treatment Plant.

Also,

No. 1795 Resolution authorizing the Mayor, the Director of the Dept. of General Services and the Director of the Dept. of Water to enter into an agreement or agreements with the Pittsburgh Water and Sewer Authority, the Borough of Fox Chapel and the Fox Chapel Sanitary Authority providing for the construction of a sanitary sewer on land occupied by the City's Water Treatment Plant and the connection with the sewer of sewage facilities serving the Water Treatment Plant.

Which were read and referred to the Committee on Water.

Mr. Millions presented

No. 1796 Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pgh., PA 15213, in the amount of \$2,000.00, in payment for professional consulting services rendered to Councilman Jake Millions, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 6, City Council.
---(SPONSORED BY MR. MILLIONES)

Also,

No. 1797 Resolution providing for the issuance of a warrant for the sum of \$7,350.00 to Samuel Rende, c/o Robert Paul Vincler, Esq., his attorney, Suite LL 140, Fort Pitt Commons Building, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219 in full and final settlement of an alleged accident wherein Plaintiff's vehicle went into a hole on Tecumseh Street in the City of Pgh., on or about March 2, 1987, payable from Code Account No. 46, Judgments.

Also,

No. 1798 Resolution providing for the issuance of a warrant in the amount of \$5,000.00 to Jessie Mott, a minor, by his parent and natural guardian, Carolyn Nelson, and Carolyn Nelson, in her own right c/o Patrick J. DeMay, Esq., their attorney, DeMay, DeMay & Donnelly, P.C., 4800 Library Road, Bethel Park, PA 15102, in full and final settlement of a leg amputation of minor plaintiff at the railroad yard adjacent to Manchester Park Playground in the City of Pittsburgh, payable from Code Account No. 46, Judgments.

Also,

No. 1799 Resolution authorizing the issuance of a warrant in favor of Sedgwick

James of Pennsylvania Inc., in the amount not to exceed \$30,000.00 in payment for professional services rendered to the City during the transitions of Worker's Compensation Administrators, chargeable to and payable from Code Account 44 (004408) Worker's Compensation, Department of Finance.

Also,

No. 1800 Resolution authorizing the issuance of a warrant in favor of Sedgwick James of Pennsylvania, Inc. in an amount not to exceed \$20,000.00 in payment for ancillary services in excess of contractual limits required in conjunction with the City of Pittsburgh's Worker's Compensation Program, chargeable to and payable from Code Account 44 (004408) Workers' Compensation, Department of Finance.

Also,

No. 1801 Resolution authorizing the issuance of warrants to various insurance companies in the aggregate amount not to exceed \$40,000.00 in payment for excess liability insurance and a self insurance surety bond for the Worker's Compensation Program, chargeable to and payable from Code Account 44 (004408), Workers Compensation, Department of Finance.

Also,

No. 1802 Resolution authorizing the issuance of a warrant in favor of Equibank in the amount not to exceed \$25,000.00 in payment for a one million dollar letter of credit as required by the Commonwealth of Pennsylvania, in order to maintain the self-insured status of the City of Pittsburgh Worker's Compensation Program, chargeable to and payable from Code Account 44 (004408), Worker's Compensation, Department of Finance.

Also,

No. 1803 Resolution providing for an Agreement or Agreements with Utica Mutual Insurance Company for a surety bond required by the Commonwealth of Pennsylvania for the City of Pittsburgh's Workers' Compensation Program as mandated by the Commonwealth of Pennsylvania to maintain the self-insured status for workers' compensation.

Also,

No. 1804 Resolution providing for an Agreement or Agreements with Equibank for a one million dollar letter of credit for the City of Pittsburgh's Workers' Compensation Program, as mandated by the Commonwealth of Pennsylvania to maintain the self-insured status for workers' compensation.

Also,

No. 1805 Resolution designating Banks and Lending Institutions to act as Depositories for the year 1991 in accordance with the Pittsburgh Code, Title Two-Fiscal, Article III, Depositories.

Also,

No. 1806 Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program, at a cost not to exceed \$34,000.00, chargeable to and payable from the JTPA-1 Trust Fund.

Also,

No. 1807 Resolution further amending Res. No. 319 eff. April 13, 1989, as amended by

Res. No. 1072 eff. October 25, 1990, entitled "Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh, at a cost not to exceed \$35,000.00, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office," by increasing the authorized amount from \$35,000.00 to \$36,633.34, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office.

Also,

No. 1808 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Consulting Services to assist the City of Pittsburgh at an aggregate cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1017, Misc. Services, Mayor's Office. This legislation is to be effective January 1, 1991 providing funding is approved by City Council.

Also,

No. 1809 Resolution providing for the conveyance of certain property in the 5th Ward, City of Pittsburgh, designated as Block 10 F, Lot part 198, to Macedonia Baptist Church, for the sum of \$2,000.00.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1810 Resolution authorizing the Mayor and the Director of Environmental Services to accept the assignment of the agreement between the Pittsburgh Clean City Committee, Inc. and HDR Engineering, Inc. and to accept the return of remaining funds advanced by the City for the contract. These

funds are to be deposited in the Solid Waste Trust Fund (SWTF), Dept. of Environmental Services from which payments shall be made for all remaining services under the contract.

Which was read and referred to the Committee on Public Works.

Also,

No. 1811 Resolution authorizing the Mayor and the Director of City Planning to enter into an Agreement or Agreements with food banks serving the residents of Pittsburgh to provide services to disadvantaged persons, at a cost not to exceed \$20,000.00, chargeable to and payable from Code Account 1017, Mayor's Office, Misc. Services.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bill only until or after the 8th calendar day following the meeting in which the bill was introduced so the bill will be introduced on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed

Mr. Regan presented

No. 1812 Resolution granting unto Councilman Bernard J. Regan, 414 Grant Street, Pittsburgh, PA 15219, his successors and assigns, the privilege and license to erect, maintain, construct, and use, at his own cost and expense, a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building. ---**(SPONSORED BY MR. REGAN)**

Which was read and referred to the Committee on General Services.

Also,

No. 1813 Resolution transferring the aggregate amount of \$850,000.00 from various Code Accounts with the Department of Public Safety and Code Account 42-1, Unsettled Wages, Department of Finance. These transfers are necessary to cover salaries & wages for the remainder of 1990 for Public Safety employees.

Which was read and referred to the Committee on Finance.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be introduced on the agenda this Wednesday.

Mr. Ricciardi seconded the motion.

Which motion prevailed

Also,

No. 1814 Resolution transferring the aggregate amount of \$119,300.00 with various Department of Public Safety Code Accounts. These transfers are necessary to cover salaries, wages and expenses of the various Code Accounts for the Department of Public Safety for the remainder of 1990.

Which was read and referred to the Committee on Finance.

Mr. Ricciardi presented

No. 1815 Resolution authorizing the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of

\$1,010.64 in payment for utility costs for the Sheraden Senior Citizen Center, chargeable to and payable from Code Account 1803, Utilities, Dept. of Parks and Recreation.

Also,

No. 1816 Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc. 1208 Palo Alto Street, Pgh., PA 15212, in the amount of \$2,000.00 in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the months of October and December, 1990, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 3, City Council.

---(SPONSORED BY MR. RICCIARDI)

Also,

No. 1817 Resolution transferring the amount of \$5,000.00 to Code Account 1851-1, Premium Pay, The Pittsburgh Zoo, from Code Account 1859, Equipment, The Pittsburgh Zoo, all within The Pittsburgh Zoo. This transfer is necessary in order to cover costs of overtime through the remainder of 1990 at The Pittsburgh Zoo and to offset overtime costs of evening events at the Zoo in 1990.

Also,

No. 1818 Resolution transferring the amount of \$25,000.00 from Code Account 1801, Misc. Services, to Code Account 1829, Misc. Services, Materials, Repairs and Equipment, Point State Park Division in the Department of Parks and Recreation. This transfer is necessary to provide funds in order to enter into an Agreement or Agreements for the design of new lighting for the Point State Park Fountain. The funds for this project shall be reimbursed to the City from the Commonwealth of Pennsylvania.

Also,

No. 1819 Resolution transferring the amount of \$20,000.00 from Code Account 1812, Salaries and Wages, Regular and Temporary Employees, Phipps Conservatory to Code Account 1851, Wages, Regular and Temporary Employees, Pittsburgh Zoo in the Department of Parks and Recreation. This transfer is necessary to enable the Department to pay wages for regular and temporary employees for the remainder of this year.

Also,

No. 1820 Resolution transferring the amount of \$50,000.00 from Code Account 1173, Recycling Services in the Dept. of Environmental Services to Code Account 1853, Utilities, Pittsburgh Zoo, Dept. of Parks and Recreation. This transfer is necessary to enable the Department to pay electricity invoices for the remainder of this year.

Also,

No. 1821 Resolution transferring the amount of \$50,000.00 from Code Account 1830, Salaries, Regular Employees to Code Account 1808-9, Workers Compensation, Dept. of Parks and Recreation. This transfer is necessary to enable the Department to pay compensation invoices for the remainder of this year.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1822 Resolution providing for an Agreement or Agreements with the Morla Corporation for the license of copyright interests and the receipt of royalty fees, payable

to the Aviary Trust Fund, ATF, Dept. of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1823 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of an 80' x 40' tent for use at the Pittsburgh Zoo at a cost not to exceed \$18,400.00, chargeable to and payable from the Pittsburgh Zoo Membership Trust Fund (PZMTF), Dept. of Parks and Recreation, The Pittsburgh Zoo.

Which was read and referred to the Committee on General Services.

Also,

No. 1824 Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation, through the Directors of the Zoo, Aviary and Phipps Conservatory, to enter into an Agreement or Agreements to effectuate the purchase, sale, or loan of animals and plants, payable from Phipps Conservatory Trust Fund 253153, Aviary Trust Fund 250209, Pittsburgh Zoo Membership Trust Fund 253757, and Friends of the New Zoo Trust Fund 251206.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1825 Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of various landscaping equipment for the Dept. of Parks and Recreation at a cost not to exceed \$27,500.00, chargeable to and payable from Code Account 1808, Equipment, Dept. of Parks

and Recreation.

Which was read and referred to the Committee on General Services.

Also,

No. 1826 Resolution providing for an Agreement or Agreements with the Beechview Area Concerned Citizens, Inc., for the restoration and improvement of monuments located at Broadway Avenue and Shiras Street, also known as the Beechview Monument, at a cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 1827 Resolution providing for an Agreement or Agreements, and/or the letting of a Contract or Contracts, or the use of existing Contracts for the cleaning and restoration of various monuments for the Dept. of Parks and Recreation, at a cost not to exceed \$31,880.00, chargeable to and payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation.

Also,

No. 1828 Resolution authorizing the Mayor and the Director of the Dept. of Parks and Recreation to enter into Agreements in individual amounts of \$10,000.00 or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs.

Also,

No. 1829 Resolution providing for an Agreement or Agreements with John McGuire Associations for the purpose of providing

professional services in connection with the design of new lighting for the Point State Park Fountain, in the Dept. of Parks and Recreation, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account 1829, Misc. Services, Materials, Repairs and Equipment, Point State Park Division, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

The Chair presented

No. 1830 Resolution providing for the issuance of a warrant in favor of A.G. Trimble Co., 600 Clark Building, Pgh., PA 15222, in the amount of \$990.00, in payment for professional consulting services rendered to Councilman Jack Wagner, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Council District No. 4.

---(SPONSORED BY MR. WAGNER)

Also,

No. 1831 Resolution transferring the amount of \$500.00 from Code Account 1001-1, Misc. Services, City Council, to Code Account 1838, Misc. Services, Dept. of Parks and Recreation. --- (SPONSORED BY MR. WAGNER)

Which were read and referred to the Committee on Finance.

Also,

No. 1832 Resolution providing for an Agreement or Agreements with the Friends of The Green and Seldom Seen, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1838, Misc. Services, Dept. of

Parks and Recreation. --- (SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Parks and Recreation.

REPORTS OF COMMITTEES

Mr. Millones presented

Bill No. 1833

Report of the Committee on Finance for November 28, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1701

A Resolution entitled, "Resolution providing for the issuance of a \$1,126.35 warrant in favor of Dan Kinney in settlement of claim for vehicle damage."

Which was read.

Also,

Bill No. 1702

A Resolution entitled, "Resolution providing for the issuance of a \$2,783.59 warrant in favor of James T. Marine in settlement of claim for vehicle damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 1703

A Resolution entitled, "Resolution providing for the issuance of a \$1,500.00 warrant in favor of David R. and Beverly A. Meyers in settlement of claim for property damage."

Which was read.

Also,

Bill No. 1704

A Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Duane G. and Linda Spiker in settlement of claim for vehicle damage."

Which was read.

Also,

Bill No. 1705

A Resolution entitled, "Resolution providing for the issuance of a \$1,185.00 warrant in favor of Tamir Shaheed for reimbursement of plumbers expenses."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Millions
Mr. Regan

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1707

A Resolution entitled, "Resolution amending Resolution No. 59 of 1990 entitled "Providing for the issuance of warrants in the aggregate amount not to exceed \$2,000 in favor of persons who provide professional proctoring and coordinating services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1990 written, performance and promotional examinations administered by the Department of Personnel and Civil Service Commission and providing for the payments thereof."

Which was read.

Also,

Bill No. 1708

A Resolution entitled, "Resolution providing for an Agreement or Agreements for stenographic reporting services in connection with public hearing(s) and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1709

A Resolution entitled, "Resolution authorizing the implementation of a Visa/Mastercard payment program for traffic and parking violations collected by Traffic Court."

Which was read.

Also,

Bill No. 1710

A Resolution entitled, "Resolution authorizing the Mayor and Chief Magistrate to enter into an agreement or agreements with a bank for professional services in connection with the implementation of a Visa/Mastercard Payment Program to be instituted at Traffic Court for payment of traffic and parking violations at a cost not to exceed \$10,000.00."

Which was read.

Also,

Bill No. 1711

A Resolution entitled, "Resolution Repealing Resolution No. 763, Item I, approved July 27, 1990, which repealed Resolution No. 965, Item K, approved December 19, 1988, which authorized the sale of property in the 27th Ward, being a vacant lot 26.75' x 96', located at 1601 Forsythe Street, designated as Block 44-D, Lot 257, to Pittsburgh Factors Company, for the sum of \$350.00."

Which was read.

Also,

Bill No. 1712

A Resolution entitled, "Resolution providing for

the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, 'Second Class City Treasurer Sale and Collection Act', effective December 11, 1984."

Which was read.

Also,

Bill No. 1713

A Resolution entitled, "Resolution authorizing the transfer of fifty thousand dollars (\$50,000) from Code Account 1173, Index Code 117309, Recycling Services, Department of Environmental Services to Code Account 1461-3, Index Code 146134, Longevity, Bureau of Fire, Department of Public Safety."

Which was read.

Also,

Bill No. 1674

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, for certain jointly owned property in the 26th Ward, City of Pittsburgh, designated as all of Block 115 D, Lot 350 and Part of Blocks 115 D, Lot 314, 115 H, Lot 135 and 115 H, Lot 268, to the School District of Pittsburgh in connection with Perry Traditional Academy expansion and renovation."

Which was read.

Also,

Bill No. 1675

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Finance, on behalf

of the City of Pittsburgh to transfer its rights, title and interest, if any, for certain property in the 26th Ward, City of Pittsburgh, designated as Part of Block 115 C, Lot 341 and Part of Block 115 G, Lot 225, to the School District of Pittsburgh in connection with Perry Traditional Academy expansion and renovation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1737

A Resolution entitled, "Resolution amending Resolution No. 739 of 1990 entitled 'Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Initiatives Program Single Point of Contact Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data;

approving the Joint Initiatives Program Single Point of Contact Project; and providing for required assurances' by decreasing the amount available for subcontractor agreements by \$479,831.00."

Which was read.

Also,

Bill No. 1738

A Resolution entitled, "Resolution amending Resolution No. 738 of 1990 entitled 'Providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant in connection with Joint Jobs Initiative Program Transitionally Needy Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Transitionally Needy Project; providing for subcontractor agreements and providing for required assurances' by increasing the amount available to subcontractor agreements by \$22,624.00."

Which was read.

Also,

Bill No. 1739

A Resolution entitled, "Resolution amending Resolution No. 731 of 1990 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A State Educational Grant Program and providing for the payment of the costs thereof' by increasing the amount available to subcontractor agreements by \$111,707.00."

Which was read.

Also,

Bill No. 1740

A Resolution entitled, "Resolution amending Resolution No. 732 of 1990 as amended by Resolution No. 961 of 1990 entitled 'Providing for an Agreement or Agreements with various agencies for the implementation of the City of Pittsburgh's 11-A Job Training Partnership Act Program and providing for the payment of the costs thereof by increasing the amount available to subcontractor agreements by \$158,790.00.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8 NOES none

(MR. RICCIARDI ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1834

Report of the Committee on Public Works for November 28, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1694

An Ordinance entitled, "An Ordinance amending the City Code Title Four-Public Places and Property: Article 1-Streets and Sidewalks, Chapter 415.01(B) Permit and Bond Required, Section 415.02(A) Permit Fee-Basis of Measurement; Chapter 416 Obstructions, Section 416.02 Permit Fees for Minor Street Obstructions Section 416.04 Permit Fees for Street Encroachment and Major Street Obstructions; Chapter 419 Section 419.09 Destruction of Monuments or Benchmarks."

Which was read.

Mr. Cohen:

I'd like my discussion with Director Gaetano last Wednesday to be brought forward, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NO. 1694, WEDNESDAY, NOVEMBER 28, 1990)

Mr. Cohen:

Can you explain what this bill does?

Dir. Gaetano:

First, I'd like to thank Councilman Cohen who recommended that we look into our fees and that is exactly what we have done. We haven't changed our fees and a lot of our permit fees for many, many years and some of them were really ridiculous.

What it will do is, it raises the street opening fees, it raises the bond on utility companies that when utilities come in and they open up our street they have a \$2,000.00 bond. We're raising that to \$5,000.00 now and keeping it for two years.

It raises the big portions of the actual permit fees for our bridges. People that come in like Kaufmann's, the bridge you see over Forbes Avenue or the pedestrian bridges that you see at the University of Pittsburgh has. We had a ridiculous fee of \$500.00 and it now raises it to \$1,000.00.

Michelle Madoff:

It's still ridiculous.

Dir. Gaetano:

And it's still not that much. Tunnel fees. We have many pedestrian tunnels and not many people know that we have it under our streets in Oakland. We're raising the fee from \$500.00 to \$1,000.00.

We have had many things in the City of Pittsburgh that this Council has passed in the past that really require a fee that we've never charged a fee for and it actually has to do with only one individual person and it's that person that we're doing this work for. Many times people sell their homes and find out that their home is on the city right-of-way and I come here for encroachments. We go out and have them doing surveys, checking with the encroachment is and we've never charged a fee for that before and now we are. It's not much of a fee, it's only \$50.00.

Tie-backs is a very big thing that we have. On all major buildings that we have Downtown, when you have major excavation four stories down, tie-backs are actually put in and with each tie-back that goes in underneath our streets at no cost to the City of Pittsburgh. We're now requiring that a cost for every tie-back that comes under our street of \$50.00 each.

The last portion of the legislation is on monuments and I don't mean statues or things like that. I'm talking survey and precise topographic location monuments. People inadvertently destroy them in front of their houses and they'll put a sidewalk in and they'll tear them out not knowing how valuable that piece of monument is and it costs the City of Pittsburgh over \$2,000.00 to replace one of these. So what we're telling within the particular legislation is that if they tear that monument out, they're going to replace it at a \$2,000.00 fee.

The only thing in the legislation that would increase and it's a very, very minor amount then as the sidewalks go up a minimum of \$5.00, a fee for a sidewalk and that's it.

Mr. Cohen:

Director, I want to thank you for taking the initiative on this. We have really been giving away property rights for a relatively small amount of money for many years and because you put together this new fee schedule I think it puts us more in line with property rights should actually cost and I really appreciate you doing this.

Tell me, who will this hit the hardest?

Dir. Gaetano:

It will hit the utility companies as to street openings in that the piece of legislation tells them that if you don't come back within so many days and fix that hole in the street after you opened it up, you're not only going to pay the new permit fee but you're going to pay \$100.00 above that, so it's forcing them to get their work done a lot faster. It will hit like a big building owner downtown who builds his building and put these tie-backs in the street, that we have to check and everything else and really they will benefit from it.

Mr. Cohen:

It won't really affect the small property owners.

Dir. Gaetano:

Not one bit.

Mr. Cohen:

How much revenue do you think this will generate for the City?

Dir. Gaetano:

We actually generate somewhere around \$225,000.00 a year. This can actually bring it up to \$50,000.00 to \$200,000.00 more so we can go up to \$400,000.00.

Mr. Cohen:

Thank you for doing this.

Dir. Gaetano:

Thank you.

(END OF COMMENTS)
PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Ferlo presented

Bill No. 1835

Report of the Committee on Planning, Housing and Development for November 28, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1697

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield Citizens Council, to purchase equipment and supplies for the Bloomfield Senior Center located at 4736 Liberty Avenue, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1983 Community Development Block

Grant Program." ---**(SPONSORED BY MR. FERLO)**

Which was read.

Also,

Bill No. 1698

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council, to assist the Lawrenceville Block Watch Network in their education and outreach expenses, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1983 Community Development Block Grant Program." ---**(SPONSORED BY MR. FERLO)**

Which was read.

Mr. Ferlo:

I move that we recommit these bills back to Committee.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Regan presented

Bill No. 1836

Report of the Committee on Public Safety for November 28, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1715

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Five-Traffic, Article III-Towing Chapter 523 by setting fees for release of vehicles."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

**Mr. Cohen
Mr. Coyne**

**Mr. Milliones
Mr. Regan**

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff moved to approve the Minutes of Tuesday, November 20, 1990 and Tuesday, November 27, 1990.

Mr. Regan seconded the motion.

Which motion prevailed.

And on the motion of Mr. Ferlo

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, December 11, 1990

No. 48

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, December 11, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Regan:

I'd like to have Susan Frye come up here please, and Carl Hankey, would you please come up?

Here's two people that don't look like poor people but they help a lot of poor people and I'm honored to be able to read this resolution this morning honoring them and the company that they work for.

Mr. Regan presents

No. 1863 WHEREAS, The Valspar Corporation located on the North Side of Pittsburgh has been built over a long and successful history dating back to 1932 with the Stoner-Mudge Company; and

WHEREAS, the products made in Pittsburgh are used for linings and beverage and food cans and as coatings for foil, paper and plastic film; and

WHEREAS, Valspar Corporation has been a sustaining force on the North Side for the "Paint Your Heart Out Program" by donating over 300 gallons of paint, ladders, materials and painting crews to beautify over a dozen homes for the elderly and handicapped citizens of Pittsburgh; and

WHEREAS, Susan Frye and her staff of

volunteers from Valspar gave their time to make this project an overwhelming success and proves that Pittsburgh and its people are special; and

WHEREAS, "It could only happen in America".

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby designate December 11, 1990 as Valspar Day in the City of Pittsburgh and wishes the company continued success in the future.

Mr. Regan moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Suzy, I'd like to congratulate you and Valspar. I'd like you to say a few words and here's a nice little certificate for your and your company.

Ms. Frye:

On behalf of the Valspar Corporation and all its volunteers, I would like to thank you for this resolution.

Mr. Hankey:

Also on behalf of Valspar and the Packaging Department, we thank you for this recognition and being involved in the program. Thank you.

The Chair:

Members of Council, we have one final resolution that I am honored to present today.

The resolution is for Michael Moorner who is the Light Heavyweight Champion and will be fighting in the City of Pittsburgh this coming Saturday, December 15th.

I'd like Michael to please come to the front with the other gentlemen that he is with, Frank DeLuca, John Wright, and Debs Olivo.

The Chair presents

No. 1864 WHEREAS, the City of Pittsburgh and the surrounding region have been home to many boxing champions throughout the years; and

WHEREAS, on December 15, 1990, the Pittsburgh Civic Arena will be the sight of the first championship fight in 10 years in Pittsburgh; and

WHEREAS, Michael Moorner, a native of Monessen and the World Boxing Organization Light Heavyweight Champion, will put his undefeated record of 21 wins and no losses and his title on the line against Danny Stonewalker, the Canadian Champion; and

WHEREAS, Michael Moorner has enjoyed a successful career both as a professional and an amateur where he represented the United States in Cuba, Russia, Germany, Korea and New Zealand and captured the U.S. National Title at 156 pounds in 1986; and

WHEREAS, at the suggestion of Michael Moorner, all fans attending the championship fight on December 15th are asked to bring a new toy to contribute to the "Toys for Tots" Campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby officially welcomes home Michael Moorner, wishes him success in his title

defense and declares Saturday, December 15, 1990 as "Michael Moorers Day" in the City of Pittsburgh.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Regan:

Mr. Chairman, I'd like to arrange a fight, after he beats this guy on Saturday, him and Ferlo, winner takes all.

The Chair:

Michael, what Councilman Regan is referring to --

Mr. Ferlo:

I thought you liked me, Baldy.

The Chair:

Councilman Regan, the fight this Saturday is being called, "The Rumble Under the Dome", I believe. Well, Michael, we've had a few rumbles in this Council and that's what Councilman Regan is referring to.

But we're simply delighted that you could be here today. We're more delighted that this event is here in the City of Pittsburgh at the Civic Arena, and we wish you good luck and we'd like you to say a few words.

Mr. Moorers:

First of all, I'd like to say that it's a pleasure to be back home in the Pittsburgh area. I grew up in Monessen.

And I would just like to give thanks to the people who supported me throughout my career and supported me for this fight and to give special thanks to Frank DeLuca and the Mon Valley Charities for putting up with me. I know there's a lot that goes into a fight and I'm just happy and I thank the City Council for giving me this and I really appreciate it. It's something I can treasure for the rest of my life and I'd just like to give thanks again. Thank you.

Mr. Regan:

Mr. President, I 'd like Mr. Frank DeLuca to stand up. He's a great union leader and he has helped a lot of people down in the Valley and I'd like him to stand up.

The Chair:

Thank you all for coming.

Mr. Coyne presented

No. 1843 Resolution providing for an Agreement or Agreements with the Greenfield Organization to benefit the Senior Citizen's Food Distribution Program, at a cost not to exceed \$1,109.50, chargeable to and payable from the 1983 Community Development Block Grant Program, "Unspecified Local Options".
---(SPONSORED BY MR. COYNE)

Also,

No. 1844 Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, for the benefit of St. Michaels Food Bank, at a cost not to exceed \$1,109.50, chargeable to and payable from the 1983 Community Development Block Grant Program, "Unspecified Local Option".
---(SPONSORED BY MR. COYNE)

Also,

No. 1845 Resolution providing for an Agreement or Agreements with the Women's Center and Shelter for benefit of the women of Pittsburgh who are victims of domestic violence, at a cost not to exceed \$1,109.50, chargeable to and payable from the 1983 Community Development Block Grant Program, "Unspecified Local Options".
---(SPONSORED BY MR. COYNE)

Which were severally read and referred to the Committee on Planning, Housing and Development.

Michelle Madoff presented

No. 1846 Resolution providing for the transfer of funds totalling \$30,000.00 from Code Account 1926, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water to Code Account 1981, Premium Pay, Distribution Division, Department of Water. Additional funds are necessary due to overtime hours required for emergency leak repairs and the large meter replacement program, and due to assistance with the Capital Improvement Program for the Dept. of Water's distribution system.

Also,

No. 1847 Resolution providing for an Agreement or Agreements with H. Yale Gutnick, 322 Boulevard of the Allies, Suite 700, Pittsburgh, PA 15222, in final payment for professional services rendered to Councilwoman Michelle Madoff in regards to the subpoena and deposition of the civil suit of the family of Ben Woods and the Post Gazette, at a total cost not to exceed \$507.70, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, etc., City Council, Index Code 100115).
---(SPONSORED BY MICHELLE

MADOFF)

Which were read and referred to the Committee on Finance.

Mr. Regan presented

No. 1848 Resolution providing for an Agreement or Agreements with various Community Organizations, for the benefit of the residents of Pittsburgh, at a total cost not to exceed \$5,000.00, chargeable to and payable from Code Account 11103 (110304) Misc. Services, Dept. of City Planning.
---(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1849 Resolution transferring the amount of \$5,000.00 from Code Account 1001-1, Misc. Services, City Council, to Code Account 1103 (110304), Misc. Services, Dept. of City Planning. --- (SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Finance.

Also,

No. 1850 An Ordinance amending and supplementing the Pittsburgh Code, Title Five, Traffic, Article I - Administration, Chapter 503 Enforcement, Section 503.12 Truck Routes, by adding the word "registered" within the paragraph, and Section 503.20 (a) Penalty by changing the amount of penalty from \$15.00 to \$300.00 and costs, and in default of payment thereof shall be imprisoned for not more than three (3) days. --- (SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Public Safety.

Mr. Ricciardi presented

No. 1851 Resolution providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team for job development, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1983 Community Development Block Grant Program, "Unspecified Local Options".
---(SPONSORED BY MR. RICCIARDI)

Also,

No. 1852 Resolution providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team for distribution to Neighborhood Block watches in Councilmanic District #3, at a cost not to exceed \$2,320.00, chargeable to and payable from the 1983 Community Development Block Grant Program, "Unspecified Local Option".
---(SPONSORED BY MR. RICCIARDI)

Which were read and referred to the Committee on Planning, Housing and Development.

The Chair presented

No. 1853 Resolution authorizing and directing the Director of the Dept. of Finance to issue partial checks to supplement the pay of any City employee who is called to active military (any Reserve, National Guard Component of the U.S. Armed Forces or Coast Guard) due to the Middle East Crisis/Operation Desert Shield, amounting to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in the Middle East. --- (SPONSORED BY MR. WAGNER AND ALL MEMBERS OF COUNCIL)

Which was read and referred to the Committee on Finance.

Also,

No. 1854 Resolution authorizing the Director of Finance to issue and the City Controller to countersign a warrant in favor of vested employees for the payment of unused sick time. --- (SPONSORED BY MR. WAGNER)

Also,

No. 1855 Resolution providing for the issuance of warrant in favor of Kahn & Associates, Inc., 650 Smithfield Street, Pittsburgh, PA 15222, in the amount of \$2,500.00 in payment for professional consulting services rendered to Jack Wagner, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As Needed, Index Code 100123, District #4, City Council. --- (SPONSORED BY MR. WAGNER)

Also,

No. 1856 Resolution amending Section 1 (a) of Resolution No. 564, effective July 20, 1989 entitled, "A Resolution authorizing the implementation of an Employee Tuition Reimbursement Program for the City of Pittsburgh", by decreasing the percentage amount reimbursable from 80% to 50%.
--- (SPONSORED BY MR. WAGNER)

Which were severally read and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Millions presented

Bill No. 1857

Report of the Committee on Finance for December 5, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1671

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$10,650.00 to Nino R. Barcellino, Ethel L. Barcellino and Richard L. Barcellino c/o Stephen F. Capone, Esquire, 300 Allegheny Building, 429 Forbes Avenue, Pittsburgh, Pennsylvania 15219 in full settlement of a claim for an alleged de facto condemnation of the Barcellinos' property at Frankstown Avenue and Exley Way in the 13th Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Millions
Mr. Regan
Mr. Ricciardi
Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1700

A Resolution entitled, "Resolution authorizing the sale of 19,531.12 square feet of City property in the 20th Ward of the City of Pittsburgh, adjoining the property located 1020-1040 Saw Mill Run Boulevard, to American Catalogue Company, Ben Malamude, Dolores K. Gluck, and Sarah P. Kaufman."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Millions
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1733

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Howard Hanna in the amount of \$800.00 in payment of appraisal services in connection with the relocation of the Carrick Branch of Carnegie Library; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1736

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mr. Michael Milberger, 5113 Rosetta Street, Pittsburgh, PA 15224, in the amount of \$100.00 in payment for professional consulting services rendered to Councilman Jim Ferlo." ---**(SPONSORED BY MR. FERLO)**

Which was read.

Mr. Ferlo:

I'd like to make a motion that Bill No. 1736 become law upon the signature of the Mayor. This is on payment of \$100 for consulting services.

Mr. Cohen seconded the motion.

Which motion prevailed.

Also,

Bill No. 1741

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of various banks in the aggregate amount of \$4,240.85 in

payment for Bank Service Fees rendered the City of Pittsburgh for the third quarter of 1990 without previous authority of law, chargeable to and payable from Code Account 1063 (106302) Miscellaneous Services, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1771

A Resolution entitled, "Resolution transferring the sum of \$45,000.00 (Forty-five thousand dollars), from Code Account No. 1173, Index Code No. 117309, Recycling Services, to Code Account No. 1167, Index Code No. 116707, Wages, Regular Employees, in the Department of Environmental Services."

Which was read.

Also,

Bill No. 1772

A Resolution entitled, "Resolution transferring the amount of Six Hundred Ten Thousand (\$610,000.00) Dollars from 1608, Salaries and Wages, Regular Employees, Index Code 160804, to various Code Accounts, all within the Department of Public Works."

Which was read.

Also,

Bill No. 1813

A Resolution entitled, "Resolution transferring the aggregate amount of eight hundred and ten thousand dollars (\$810,000.00) from various Code Accounts within the Department of Public Safety and Code Account (42-1), Index Code (004218), Unsettled Wages, Department of Finance." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo

Mr. Milliones
Mr. Regan
Mr. Ricciardi
Mr. Wagner

Michelle Madoff

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Darkins presented

Bill No. 1858

Report of the Committee on Public Works for December 5, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1735

A Resolution entitled, "Resolution providing for the repeal of Resolution No. 310, approved March 26, 1990, effective date March 30, 1990 entitled Vacation of Thirty-eighth Street from Liberty Avenue to Ewing Street in the 6th Ward, 7th District of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1745

An Ordinance entitled, "An Ordinance amending Ordinance No. 17, approved August 17, 1990, entitled 'An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601 - Public Order and Title Seven - Business Licensing, Article VII - Service Businesses, Chapter 765 - Commercial Refuse, to add provisions for the administration and regulation of the collection and recycling of recy-

clable materials and leaf waste, and imposing penalties for the violations thereof,' to amend the types of materials to be collected by the Department of Environmental Services, the manner of collection of such materials and related licensing requirements, and to renumber the subsequent sections and references accordingly."

Which was read.

Also,

Bill No. 1773

A Resolution entitled, "Resolution providing for a sewage service agreement with the Allegheny County Sanitary Authority, and the Borough of Franklin Park."

Which was read.

Also,

Bill No. 1774

A Resolution entitled, "Resolution amending Resolution No. 854, effective August 24, 1990, entitled 'Providing for the issuance of a warrant in favor of the Traco Co., in the amount of Five Thousand Six Hundred Twenty (\$5,620.00) Dollars, in payment for windows for the addition to the Public Works' General Office Building,' by changing the Code Account."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1859

Report of the Committee on Planning, Housing and Development for December 5, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1433

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, 'Zoning', by providing definitions, use exceptions and regulations for heliports as a Conditional Use Exception in M3, M4 and MP Districts; for helipads as a Conditional Use Exception in C4, C5, C6, SP and all M and I Type Districts; for helistops as a Special Exception in C4, C5, C6, CP, SP and all M and I Districts."

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments brought forward on Bill 1433 on the helistop ordinance.

(REMARKS ON FOLLOWING PAGE)

(MR. FERLO'S COMMENTS ON BILL NO. 1433-Wednesday, 12/5/90)

Mr. Ferlo:

The request a few weeks ago was an issue raised regarding Allegheny General Hospital, and we asked for a legal opinion, which you did send up, and I thank you, which basically states that the actions on this ordinance are independent and separate from any pending lawsuit regarding particular needs of this hospital. I am sure there might be Councilmembers who have questions about that memo.

I have obviously urged that we adopt this ordinance and codify into law requirements regarding heliports. I think the planning staff has done a real good job in amending the code with this ordinance. So I urge the moving and adoption of this ordinance.

(Deleted text.)

Mr. Ferlo:

I think this is a great ordinance, as I indicated earlier, and I hope we approve it today. I again applaud the Planning staff for their deliberative review. I think alot of the criticisms and concerns raised by those who have a vested interest in the hospital systems have been addressed in this. The other thing is the issue of some of the issues Michelle has begun to address earlier in this discussion, and that is the issue of maintenance of these helicopters, the fueling. There is no reason why city government, in approving this ordinance today, can't send a message to the hospital council and to others who operate these heliports to have shared services. In the area of fueling, in the area of maintenance of these vehicles, in this case the helicopters, there is no reason why hospitals can't share the burden and the cost of that at centralized locations. In Lawrenceville, I will be glad to come up with several industrial sites in Lawrenceville. There are places in Hazelwood, places in South Side, throughout the city, industrial areas that can accommodate this kind of center. I would hope that the hospitals would meet and cooperate on some of those expenditures, so it is not a problem to health and safety residential neighbors. This is an ordinance written for the year 2000. It is a good ordinance; I hope we approve it.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Michelle Madoff:

On Bill 1433 on the heliports. I understand this is a bill that deals with safety. I have a great concern that we're going to see a heliport at every single hospital.

I also have a great concern that Allegheny General, because it has its heliport, indeed causes the other hospitals not to get their fair share of people who need hospital treatment. And we're seeing a hospital prospering, fighting us in the courts on contributing.

I think the dangers to the community must be evenly divided. We cannot have one heliport and worry about the safety of that heliport, and then have them peripherating all over the area. I have some very, very great concerns. My understanding is that they will not be able to fuel on the heliport, they will not be able to do maintenance at the heliports.

And my understanding of this bill, and I wish somebody would address it, whoever is the sponsor, Mr. Ferlo might be able to help with this, are we going to, through this bill, allow heliports to proliferate throughout the City? I would just like someone to address this if they could help me.

Mr. Cohen:

I'd like to address that. The answer to that question is no, that this is a bill that has regulations governing heliports City-wide, that any new either helipad, heliport or helistop, and those are the three definitions in this bill, would have to be filed for a conditional use which would have to go before City Planning and also before City Council.

So, by approving this bill, we aren't approving any additional helipads --

Michelle Madoff:

At this point.

Mr. Cohen:

That's right. They have to go through that process of coming through City Planning and City Council. I think that City Planning went through a very thorough process in coming up with these regulations. The current regulations date back to 1958. They refer to a federal agency that no longer exists in the federal government, and I think it's about time that we come up to date and have regulations that apply to modern time.

Michelle Madoff:

I support that. That's what I thought this bill was about but I wanted to be sure that I wasn't voting for more than just this legislation.

I do want to point out that I've spoken with the Administration about the fact that I believe that we should have a heliport system in conjunction with 911. When somebody calls for an ambulance, they tell the ambulance what hospital they want to go to. If somebody is unconscious and they have a burn, they take them to a burn unit. If it's a child, they take them to Children's Hospital. If it's a heart problem, they can take them to many hospitals. They go where the appropriate hospital is.

And I would hope that the day would come, and I see it happening, where we're going to have a central heliport tied into 911 and when a helicopter is necessary for saving a life, it will be through 911 and not through Allegheny General or other hospitals who have determined that they will pick up the patient because they have the helicopter.

Mr. Ferlo:

I just want to say, as I indicated in the Committee session, this is a very important bill and as far as I'm concerned it's a bill that reflects the needs of the year 2000, as Mr. Cohen pointed out, the original bill dating back several decades.

So, I want to thank the Planning staff and others who worked on it. I think it's a great bill. A lot of thought has been given to this legislation. And in approving this today, we will deal with what has happened for the last several years and that is a proliferation of various kinds of helicopter landing sites without proper review processes in place for residents, for adjoining business owners, for institutions, for the Planning Department and ultimately for Council to be able to review these occupancy permits.

So, I want to just commend the staff once again for their work on this ordinance. It's a very good ordinance and I think it will address a lot of the health and safety issues that have come up in relation to what Michelle has called a proliferation of these helistops that have been constructed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo

Mr. Wagner
(Pres't)

AYES 8

NOES 1

(MR. REGAN VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1698

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lawrenceville Citizens Council, to assist the Lawrenceville Block Watch Network in their educational and outreach expenses, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1983 Community Development Block Grant Program." --- (SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 1781

A Resolution entitled, "Resolution approving a Conditional Use Exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Western Manor, Incorporated, for authorization to convert the existing four-story structure located at 2851 Bedford Avenue, identified as Building 'A' into 31 dwelling units for the elderly, and one (1) for a resident manager with parking to accommodate 13 automobiles, on property zoned 'R4' Multiple-Family Residence District, 5th Ward."

Which was read.

Also,

Bill No. 1811

A Resolution entitled, "Resolution authorizing the Mayor and the Director of City Planning to enter into an Agreement or Agreements with food banks serving the residents of Pittsburgh to provide services to disadvantaged persons; and providing for the cost thereof."

Which was read.

Michelle Madoff:

On Bill 1811, in relation to the Administration's commitment with Council to earmark \$20,000 for food banks, I'd like to offer an amendment.

I was a little bit concerned that the Administration in submitting this legislation did not waive Rule 8 to expedite it since part of the rationale was that this money would be utilized before the end of the year. So, in addition to waiving Rule 8 earlier to get this on the agenda today, it was my hope upon final passage of this bill that we would also make it become law upon the signature of the Mayor.

The only other problem with the bill, however, is that it does not specifically earmark the money and enter into contract with any agency. And if we're interested in expediting --

Mr. Coyne:

Point of Order, Mr. Chairman. If Mr. Ferlo is making a motion to amend, I think he needs a second.

Mr. Ferlo:

I'll make the amendment and get a second and then I'll discuss the bill. But to be fair to

Mr. Coyne, I'll just make the amendment that you have before you to Bill 1811 which would amend this \$20,000 bill to specifically designate it to the City's anti-poverty agency, Pittsburgh Community Services, Inc., which then in turn can fund the various food pantries under the Hunger Trust Fund. So, I'd like to make that in the form of a motion.

Mr. Regan seconded the motion.

The Chair:

Is that amendment in writing?

Mr. Ferlo:

Yes, sir. Unfortunately, you don't have one in front of you. I apologize.

Just very briefly, Mr. Chairman, this money would be consistent with the commitment of Council. Historically, in the last two years in particular, the Pittsburgh Community Services, Inc. Agency, is the City's anti-poverty agency funded by the Administration and Council. In the last two and a half years in particular, this agency has acted as the conduit or the umbrella to disburse money to upwards of 40 or 50 food banks throughout the City of Pittsburgh. It is this agency that has the contractual relationship with the City and if we're interested in expediting it and doing this in a fair and logical and rational process administratively, it would make sense then to supplant or add to the existing contract that we have with Pittsburgh Community Services, Inc. And this, then, would enable food pantries to readily take advantage of these additional funds. And on that basis, I'd like to offer the amendment.

Mr. Coyne:

Mr. President, it has been my understanding, after speaking with the Administra-

tion, as soon as I heard that they were going to free up the money I contacted the Administration to find out how they were going to go about distributing those funds. So, my understanding, and if I'm wrong I'd like to be corrected, is that the Administration has already taken steps with food banks throughout the City to distribute those funds so that funds will be available for the holiday season.

I think that what Mr. Ferlo's amendment will do is slow up the process rather than to speed it up because now we're going to have to go through a middle party instead of the Administration going directly out to food banks and giving the money to those food banks as, from my understanding, they're doing. We're going to go through the middle person and then I think it will be slowed up. So, I would urge voting against Mr. Ferlo's amendment.

The Chair:

If I may just ask the question, why are they not identified in the original bill?

Mr. Coyne:

I don't know.

Mr. Ferlo:

I can answer that question, Mr. Chairman. The reason why they're not identified is that certain members were called in relation to the vote on the Christmas Tree by the Administration. The Administration called certain Members of Council in relation to Mr. Regan's bill which is later on the agenda for an easement and basically indicated to some Members of Council that it would be appropriate at this time to vote against the easement and in exchange there would be a few thousand dollars available to food banks in their Council district, which is fine. If the Administration wants to play petty

politics with the poor, that's fine with them but it's not fine with me.

This Council has instituted a process in City government, a fair process, and that is allocating Community Development Block Grant and other operating dollars to the City's anti-poverty agency, the Pittsburgh Community Services, Inc. They have the administrative model and the contractual model in place to expeditiously receive this money and funnel it out to those groups City-wide, not in certain Council districts that may have voted politically with the Mayor on the easement.

So, let's be fair and let's be realistic about what this bill is about. And if the Administration wants to be fair, I think the easy way, and I beg to differ with my colleague, Mr. Coyne, to move this along expeditiously is to amend the existing contract that the Administration has with CSI. It takes a lot longer to enter into contract with organizations that have yet to even be funded by City government. A contract has to be written up, they have to come back to Council for authorization to enter into a contract. This is the quickest, most expeditious and most equitable way to get the money to those who are most in need. My bill doesn't pay politics with the poor.

The Chair:

Okay, on the amendment only.

Michelle Madoff:

Mr. President and Members of Council, I deeply resent the implication that anybody buys my vote with any influence and I speak, I think, for everybody on this Council. I think that's a terrible thing to say.

My support for the Administration's position that we not have the Menorah and the Christmas Tree, which I happen to like very

much, in front of the building was that we were threatened with a massive law suit that would start with something like \$20,000 and go to \$150,000. That is what we have been accused of and I think that needs to be put aside.

Now, on this particular issue of the food bill. I personally stated that I would like to see one agency distributing the money. However, what I subsequently learned, and I'm sure my colleagues have learned, that unfortunately the Pittsburgh Community Service Organization has eliminated some groups because they just don't have enough money to give it to them. And here is an opportunity for Councilmembers who have been approached by community groups who distribute food in their community and have been shut off from funds, to give them a little bit of money. And that's why I'm going to vote against Mr. Ferlo's amendment.

Mr. Regan:

I'd like to know what food banks are going to be serviced, if not all of them. I agree, you can't fool around with the poor people. And if that's done, it's a damn shame.

Mr. Darkins:

Mr. Chairman, I have a problem with this amendment. First of all, I don't know who Mr. Ferlo is referring to about the colleagues on Council because I have never been contacted from the Administration in regards to this situation.

Secondly, I'm opposed to the Pittsburgh Community Services because I just witnessed this past Saturday wherein that I was in our neighborhood, paid \$199 for two tractor-trailer vans that went to the North Side to the Stadium to bring commodities and food to the Homewood Brushton area. And I took it upon myself to call the food banks in that area to make sure

that the food is going to be distributed properly.

So, I have a problem with this. I think that this Community Services have left out a lot of food banks and to go through this process, it will be after the effect of services. I think the message that I'm hearing here is that we want to take care of these families before Christmas, not after Christmas. We want to help these people now, not later on. And that's the significance behind it all. I'm just opposed to this.

Mr. Coyne:

Mr. Chairman, I just want to make a final point that I not often am a defender of the Administration but I think this time, in this case, Mr. Ferlo is playing the petty politics and not the Administration. I think the Administration is making an honest effort to get money out to food banks who I trust will be looking City-wide, not specifically in any Councilmember's district. And I think that we should support them and get this money out there to the people who need it instead of sitting here discussing which way we should manage that money being distributed.

The Chair:

Roll call vote on the amendment.

Mr. Ferlo:

There's still additional discussion, Mr. Chairman, on this bill.

The Chair:

Well we're going to have final comments and this amendment is not earthshaking and therefore I would like us to stay to the amendment.

Mr. Ferlo:

Just to be clear again, if we're interested in expediting the contract, then we should amend the existing contract that we have with Pittsburgh Community Services. That's the way to guarantee that this money will actually get to the food banks.

As far as some food banks not being able to avail themselves of funding from Pittsburgh Community Services, it's because they don't have enough money. Between the money they get from the Federal CSI and between the money that we commit from the CDBG, they just don't have enough money. But they've never turned down an organization for any reason other than the fact that there are no available funds.

As far as groups getting funded between now and Christmas who are not already in the funding stream, it takes the Administration upwards of three or four months to execute a contract with any new agency. So let's not play a game out here. And if that's not the case, then I'll admit that I'll be the biggest fool Christmas Day, and I don't think that's going to be the case.

Mr. Regan:

Councilman Coyne said "petty politics". Is he talking about some poor people being fed and other poor people not being fed? Is that petty politics?

Michelle Madoff:

Mr. Coyne didn't say that. It was Mr. Ferlo.

Mr. Regan:

Well, my ears aren't that bad, Councilwoman. I heard exactly what he said.

Michelle Madoff:

I'm sorry.

I just think that what we're doing here is really, by this debate, playing politics with the poor. I support the Pittsburgh Community Service. I also agree with Mr. Ferlo who made the best argument for why I'm voting against this resolution. There just isn't enough money to handle everybody and there are some groups who have been cut out of the system and here's a chance to help some of the groups and that's why I'm not voting for the amendment. They're both two worthy efforts and I don't think that by supporting the position of giving to the groups who have been out of the system we are voting against the poor. It doesn't have to be one way; there can be more than one way of dealing with the problem.

Mr. Ferlo:

I'd like the media and Council to follow where this money will go because it will go to those Council districts who voted --

The Chair:

Mr. Ferlo, you are out of order.

Mr. Cohen:

Call the question.

Mr. Milliones:

Mr. President, I'm on the Board of that PCSI and that is the reason I will be abstaining.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Ricciardi
Mr. Regan	Mr. Wagner (Pres't)

AYES 4 NOES 4

VOTING NO:

Mr. Cohen	Mr. Darkins
Mr. Coyne	Michelle Madoff

(MR. MILLIONES ABSTAINING)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 1860

Report of the Committee on General Services for December 5, 1990 transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1766

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title One - Administration, Article VII - Procedures, Chapter 161 - Contracts, Section 161.12 BID AND PERFORMANCE BONDS, Section 161.13 BONDS ON SMALL CONTRACTS, Section 161.14 LABOR AND MATERIAL BOND and Section 161.15 CONTRACTS EXCEEDING \$5,000; PERFORMANCE AND LABOR AND MATERIAL BOND. (AS AMENDED IN COMMITTEE)

---(SPONSORED BY MR. COYNE, MR. MILLIONES & MR. DARKINS)

Which was read.

Also,

Bill No. 1767

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code of Ordinances, Title One - Administration, Article VII - Procedures, Chapter 161 - Contracts, Section 161-02 Competitive Bidding; Exceptions, by defining the term 'lowest responsible bidder.'

---(SPONSORED BY MR. COYNE, MR. MILLIONES, MR. DARKINS & MICHELLE MADOFF)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also, with an **NEGATIVE** recommendation,

Bill No. 1812

A Resolution entitled, "Resolution granting unto Councilman Bernard J. Regan, 414 Grant Street, Pittsburgh, PA 15219, his successors and assigns, the privilege and license to erect, maintain, construct, and use, at his own cost and expense, a Christmas Tree and stand on the City's side of the Main Foyer of the City-County Building." ---(SPONSORED BY MR. REGAN)

Which was read.

Michelle Madoff:

Point of Order. I would respectfully ask my colleague who was so gracious at the Mayor's budget hearing to thank her for the Christmas Tree across the street and the Menorah is now up, to rescind that request.

The Chair:

That really is not a point of order. There is a piece of legislation on the floor.

Michelle Madoff:

Well, if the sponsor rescinds his piece of legislation, I think that would take care of it.

The Chair:

That's not a point of order. There is a bill on the floor. A point of order must deal with the situation at hand in Council, not a piece of legislation.

Michelle Madoff:

Perhaps I didn't know the correct terminology but I think the message is very clear as to what I'm saying.

Mr. Regan:

Well I think my message to you is very clear that there's a hell of a lot more involved here than just forget about it.

Every big city in the country has a Christmas Tree and a Menorah --

Michelle Madoff:

So do we.

Mr. Regan:

Not on our property. The State Capitol has one, the White House has one, Philadelphia has one, Allegheny County has one. There's a lot more here than just roll over.

I commend the Mayor for giving the 20,000 and I thought it was a great thing on her part, but there's a lot more here. There's a lot of people that have beliefs in this country and there's a hell of a lot more of them than the people that are against it.

Mr. Ferlo:

Mr. Chairman, even though there's a final vote on this bill today, I would still like a legal opinion from the Solicitor and any other legal scholarly minds in the Administration in explaining how it is that we're able to expend upwards of \$10,000 erecting a Tree and a Menorah across the street on private property. We had Public Works out there. We had General Services. We had the Forestry Division. We had cherry pickers, tandems, cranes. We have electricity for the Menorah that's coming off the utility pole which is a public account. All of the public dollars expended to put up the Tree and the Menorah on the private property, not to mention the fact that we're losing parking tax revenue from the 20 or 40 parking spaces that have been eliminated across the street.

So, I would like a legal, scholarly opinion in explaining how it is that that's not theft of services as opposed to being within the constitution framework that was argued by the Solicitor earlier last week.

Mr. Ricciardi:

Mr. President, during our Committee Meetings, the City Solicitor said that this body could not initiate an easement. The easement

must come from the Administration. I have yet to see any written documentation on that. So maybe we should contact the Solicitor, not just for this bill, but for future bills because I was unaware that this body could not initiate an easement.

The Chair:

I agree, Mr. Ricciardi. Several items were asked of the Solicitor of which none have been received in terms of legal opinions.

I suspect we're going to vote on the bill finally today and I would still request, through the City Clerk, that those opinions be granted in writing for possible future discussions on this issue --

Mr. Ferlo:

And I'd still like a financial accounting for how much it cost to put the Tree and the Menorah up across the street and who is paying for it.

The Chair:

Mr. Ferlo, you don't have the floor.

Mr. Ferlo:

I know.

The Chair:

Including the opinion requested by Mr. Ferlo.

I might state that a vote of yes would be in favor of the bill, even though it has a negative recommendation. A vote no would be opposed to the bill.

I would like to make a brief comment.

I'm going to vote in favor of the bill. I don't think the bill is going to pass, to be frank about it. But I truly think that even though the Tree is across the street, the reason why it's there is because of Mr. Regan's efforts.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo	Mr. Wagner
Mr. Regan	(Pres't)

AYES 3	NOES 5
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VOTING NO:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Ricciardi
Michelle Madoff	

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Regan presented

Bill No. 1861

Report of the Committee on Public Safety for December 5, 1990 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1498

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Chapter 719, Vendors and Peddlers, by adding Definitions, Providing Regulations for Signs, Increasing Fees, and adding a new subsection 719.07, Employers Master License."

---(SPONSORED BY MR. COYNE)

Which was read.

Mr. Coyne:

Mr. President, in front of all Councilmembers, I believe, there is a motion to amend and I'd like to make a motion to amend Bill 1498 with the bill that is in front of everyone. It deals with the vendors and peddlers in the City of Pittsburgh.

Mr. Ferlo seconded the motion.

Michelle Madoff:

I want to be sure I understand what the amendment is. Is that the one hour or the removing of the employer master license?

Mr. Coyne:

The amendments are in front of all Councilmembers and they are the result of a very substantial amount of discussion between Councilmembers, community groups, vendors and civic associations dealing with the original proposal and I think that what we have in front of us is something that is going to be acceptable to everyone. It deals with a few specific changes, one that Councilman Regan had brought to the table last week concerning the size of vehicles. It clearly defines the size of what vendors' vehicles may be and increases the amount of time

from a half hour to one hour, at Mr. Ricciardi's request. It keeps in place the fact that there will be no vending permitted in the central business district Downtown. And it eliminates the employer's master license and licensing fees since the Administration is going to be offering an employer's master license this afternoon and licensing fees, meeting with the Department of Building Inspection we thought it was better off to leave it with the Administration's bill this afternoon.

So, in front of all Councilmembers is the bill as amended and I would ask for a vote of yes.

The Chair:

We are still dealing with the amendment and the amendment only. Any discussion on the amendment?

Mr. Ferlo:

I think this is a very good set of amendments and overall I think the bill should be approved. It liberalizes something that I think we should liberalize and that is individuals who legitimately should have the right to vend on the City streets without interfering in the prerogatives of businesses in other districts be it Downtown in the central business district or out at the neighborhood commercial corridor.

One of the main objections to Mr. Coyne's original bill had to do with the issue of some of the vendors, and one was pointed out, a notorious vendor in Oakland, given the large display area that this individual assumes and consumes on the street. And if I understand this amendment correctly, Mr. Coyne has addressed this issue by limiting, which is not in the Code right now. This amendment would limit the size and the width and the length of that stand. And I think that would address the major criticism and I believe one of the only criticism that was raised

with the original ordinance.

So, I think we should approve the amendments. It deals with something the Code does not address right now and that is the size and the obnoxious nature of certain display stands on the public right of way.

And also, outside of the central business district, a vendor would not be allowed anywhere close to a business that has the same kind of a display. So, in other words, outside a central business district a flower vendor cannot be within 200 feet of another flower shop. So I think it's a good bill.

Michelle Madoff:

I want to thank the sponsor of the bill for particularly addressing the issue and my colleague, Mr. Ferlo, for pointing out the issue of flower vendors. Since I mentioned once before the master license type person indeed assigns someone to sit within 100 feet of a widow on Valentine's Day and Mothers Day selling flowers.

So I'm glad that's in and I'm delighted that Mr. Coyne responded to my concern about the master license because I think that the young gentleman who has a place in Oakland who said to us at the hearing that he only has one display, and when we asked about the other three he said, "Oh, they work for me but it's their's." My concept of vendors is to help those who don't have jobs or trying to be entrepreneurs and going out and being sole proprietors.

I think this is a good bill and I will support it. I hope that in the coming years we will amend the vendors to not harass them. I still think an hour is too little but it's an improvement on what we had and I will support it and hope that in next year again we will improve on that even further.

Mr. Regan:

I would just like to reiterate my feelings on it. I think this is a one-person amendment written for one person and one person only. I have gone by there many times and there are racks and racks of clothes. It makes him a store not paying 50 cents a day to operate something that a store owner would have and maybe in that area pay \$2,000 a month.

I also would like to say that Mr. Coyne at the last meeting said that he was going to talk to me. I think he has talked to everybody else but me. I think that the Building Inspection, it's impossible for them to administrate this thing or police it. And I don't think anybody has bothered the vendors. This is the only vendor in town that is violating the law and he's violating it every day and if Councilman Coyne wants to stand up for someone that is violating the law every day, so be it.

Mr. Coyne:

Obviously, Councilman, you haven't read the bill. I have sat here for the year that we've been on Council together and you have made several statements throughout that period concerning certain bills where it's obvious you haven't read it and, unfortunately, this is once again that occasion.

I mentioned last week that if you had any concerns on the size of the vehicles that I would be very happy to put it in. As of yesterday afternoon you did not contact me.

I did my own research and these figures are in here for the size of the vehicles. The current vehicles of the vendor you're speaking about in Oakland are larger than this. He would have to conform. The vendor in Oakland also has his vehicles within 250 feet of each other.

He would have to conform to that rule in this bill also.

So, if you would have taken the time to read this bill, you would have seen it obviously, obviously, does not protect one individual and does not deal with one individual.

Mr. Regan:

Well I must have glaucoma, Councilman, and my eyes must be failing me if what you say and what I say are two different things altogether because I've ridden by there many a time. The vehicle parks there to unload, blocking the view coming out of Forbes Avenue to make a left hand turn. In fact, the University of Pittsburgh --

Mr. Coyne:

Mr. Chairman, do I have the floor? I don't remember Mr. Regan being recognized for the floor.

The Chair:

Were you completed?

Mr. Coyne:

No I wasn't.

The Chair:

Okay, you have the floor then.

Mr. Coyne:

If I may just ask one question of Mr. Regan. Have you read the bill?

Mr. Regan:

Yes.

Mr. Coyne:

And you don't think this affects him adversely, the vendor in Oakland?

Mr. Regan:

Not at all.

Mr. Coyne:

You don't. Then we have a very different point of view.

Mr. Ferlo:

On the amendment. If I understand the amendment, this very much affects the one individual and I don't think we should be writing legislation for one individual either to assist one individual or to detract from the rights and privileges of one individual. We should write legislation that affects and deals with problems on a City-wide basis and I think this bill does that.

But in terms of that one individual or anybody else, that one individual has an obnoxious stand. It is a stand that is at least 10 feet high. It's a stand that's probably 20 feet long and 5 or 6 feet wide. As Mr. Regan once called it, it's a store on the street, and that's what it is. This bill, with the amendment, would limit that individual's prerogatives. It would limit that person's stand to 7 feet high, and for me 7 feet is pretty high, 8 feet long and 3 feet wide. But that would greatly limit and change the very characteristics of what that individual has right now at Forbes and Bigelow.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Michelle Madoff
Mr. Ricciardi

AYES 5

NOES 3

VOTING NO:

Mr. Milliones
Mr. Regan

Mr. Wagner
(Pres't)

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the motion passed finally.

The Chair:

On the bill as amended, I would just like to make one comment. I am voting against the bill and I have said that from the start. I wrestled with this issue twice since I've been on Council. You can never satisfy the vendors and I attempted with major amendments to a previous ordinance, not only to help the vendors but also to protect businesses in general. And, quite frankly, I thought the original bill was a good one and I think we need to take a lead from our Building Inspection people as to what is good and what isn't good because they're the ones out there on the street enforcing it every day.

Mr. Ferlo:

I share many of your concerns, Mr. Wagner. Historically, when I first got to Coun-

cil, I had a pretty conservative view about this issue of vendors. Those individuals who came to me over the last three years in particular, and even in public hearings on this issue before Council, were primarily minority vendors who came to me who complained basically that the economy within that community, frankly, was one that would allow vendors to operate on street. And this is notable in the Homewood corridor and in East Liberty, in particular. In fact, it was individuals from the minority community that come to me, historically, with what you have termed complaints.

At first I was not sympathetic but I think in reviewing the bill, as amended by Mr. Coyne, it would help deal with what I think is a more fair situation and that is allowing vendors at least some time on the street as opposed to the limitations to 30 minutes. And I think it would reduce harassment. If anything, it would make more uniform the ability of the Building Inspectors to actually issue citations that can be upheld in a court of law. Many of the citations issued in the last several years have been thrown out and laughed at by the judge.

So, if anything, I think this bill in effect will actually make more real the threat of citations enforceable by the building inspectors.

And, obviously, the third thing which I've harped on, and that is freeing up building inspectors for more critical issues like vacant lots and demolition of buildings.

Mr. Regan:

Well, if the building inspectors are charged with upholding the law, then I think that's where they should be. I think that they do a terrific job and I don't see those vendors being harassed at all and I'm for vendors. I think they're colorful, they're good for the City, and I was opposed from day one to this.

I also would like to state that last week I was threatened in my office to blow up my office and they guy introduced himself over the telephone as a vendor. He could be anybody; he doesn't have to be a vendor, but I don't appreciate that either.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Ferlo

Michelle Madoff
Mr. Ricciardi

AYES 5

NOES 3

VOTING NO:

Mr. Milliones
Mr. Regan

Mr. Wagner
(Pres't)

(MR. DARKINS ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1589

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Eight - Fire Prevention and Title Ten - Building by adopting a new Title Eight - Fire

Prevention, 1990 Edition and a new Title Ten - Building, 1990 Edition."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1862

Report of the Committee on Engineering and Construction for December 5, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1734

A Resolution entitled, "Resolution amending Resolution No. 755, effective July 27, 1990,

entitled 'Providing for an Agreement or Agreements with a Consultant or Consultants, for Engineering Services in connection with the N.B.I.S. Update Bridge Safety Inspection of the Fort Pitt Boulevard and Market Street Bridges; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof,' by amending the title to include the Inspection of the Wood Street Bridge."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair presents

No. 1865 Resolution appointing M. Susan Ruffner, 651 Bigelow Street, Pittsburgh, Pennsylvania 15207, as a City Magistrate for a

term effective immediately and to expire January of 1995.

Which was read.

The Chair:

The new appointment of Susan Ruffner, I would like to suggest that she come in front of Council to be interviewed a week from tomorrow.

Also,

No. 1866 Resolution reappointing Linda Cobb, 727 North Mathilda Street, Pittsburgh, Pennsylvania 15204, as a City Magistrate for a term effective immediately and to expire January of 1994.

Which was read.

Also,

No. 1867 Resolution reappointing Donald Turner, 304 Ross Street, Pittsburgh, Pennsylvania 15219, as a City Magistrate for a term effective immediately and to expire January of 1993.

Which was read.

Also,

No. 1868 Resolution approving the reappointment of Reverend Ronald P. Lengwin, 202 Stanwix Street, Pittsburgh, Pennsylvania 15222, for a three year term to expire December 31, 1993, as an at-large member of the Pittsburgh Cable Communications Advisory Committee.

Which was read.

Also,

No. 1869 Resolution approving the reappointment of Hedda Sharapan, 4478 Parade Street, Pittsburgh, PA 15207, for a three year term to expire December 31, 1993, as an at-large member of the Pittsburgh Cable Communications Advisory Committee.

Which was read.

Also,

No. 1870 Resolution approving the reappointment of Sherman Wellons, 120 Climax Street, Pittsburgh, Pennsylvania 15210, for a three year term to expire December 31, 1993, as an at-large member of the Pittsburgh Cable Communications Advisory Committee.

Which was read.

Also,

No. 1871 Resolution approving the reappointment of Michael P. Brady, 162 Ulysses Street, Pittsburgh, Pennsylvania 15211, as an at-large member of the Pittsburgh Cable Communications Advisory Committee, for a term to expire December 31, 1993.

Which was read.

Also,

No. 1872 Resolution approving the reappointment of Paul H. Bethel, 3324 Webster Avenue, Pittsburgh, PA 15219 for a term to expire December 31, 1993 as an at-large member of the Pittsburgh Cable Communications Advisory Committee.

Which was read.

Michelle Madoff moved to approve the reappointments.

Mr. Cohen seconded the motion.

Mr. Ferlo:

I would like to have the Magistrate appointments come before Council for discussion.

The Chair:

Even with the reappointments?

Well, there is a motion on the floor for approval of all.

Mr. Ferlo:

Hasn't it always been the case, even on reappointments, that we've asked --

Michelle Madoff:

No.

The Chair:

If it's the will of Council, yes. If the majority of Council wants those people to come in front of Council --

Mr. Ferlo:

That's fine. That's no problem.

Michelle Madoff:

Mr. Chairman, I made a motion that we vote for them.

The Chair:

Is there any discussion?

All those in favor? Opposed?

Mr. Ferlo:

Opposed.

WHICH MOTION PREVAILED.

Michelle Madoff:

Ms. Ruffner is separate.

The Chair:

Yes, the new appointment will be in a week from tomorrow.

And on the motion of **Mr. Milliones**

Council adjourned.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXIV

Tuesday, December 18, 1990

No. 49

Municipal Record

ONE-HUNDRED TWENTY-SIXTH COUNCIL

JACK WAGNER President
MICHAEL PERRY City Clerk
LINDA M. JOHNSON-WASLER .. Asst. City Clerk

Pittsburgh, PA
Tuesday, December 18, 1990

PRESENT:

MR. COHEN	MR. MILLIONES
MR. COYNE	MR. REGAN
MR. DARKINS	MR. RICCIARDI
MR. FERLO	MR. WAGNER
MICHELLE MADOFF	(Pres't)

The Meeting was opened by the recitation of the Pledge of Allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

PRESENTATIONS

Mr. Ferlo:

Mr. Chairman, in the absence of our guests, I'd ask the City Clerk to just read this into the Record. It's a resolution proclamation acknowledging the efforts of Steel Valley Authority.

Mr. Coyne:

Also, Mr. Chairman, I'd like a copy sent of the resolution to be sent to the Governor's Office.

Mr. Coyne and Mr. Ferlo present

No. 1889 WHEREAS, the Steel Valley Authority is an Intermunicipal Jobs Authority which was created by Pittsburgh and nine Mon Valley milltowns to help economically revitalize distressed communities; and

WHEREAS, the SVA is a unique "job dislocation strike force" to prevent workers from losing their jobs and to retrain essential payrolls and revenues in the City, especially in times of recession; and

WHEREAS, the SVA has developed, through the City's Intermunicipal agreement and growing relationship with the nine other Mon Valley member communities, additional support in Harrisburg resulting in state funding for City projects; and

WHEREAS, the SVA has accomplished several major successes for the City in 1989 and 1990, including:

- Redevelopment of Industrial Sites: The SVA helped win passage of \$20 million in the Industrial Communities Site Fund (ICSF); the City received \$2,000,000 for two Pittsburgh sites on the South Side and North Side in 1989. The SVA was also a catalyst in the passage of the new Tax Increment Financing Bond Program.

- Manufacturing Retention and Expansion: The SVA took a lead in the city establishing a new "early warning" business and labor outreach program for firms in distress. The SVA has been directly responsible for retaining or expanding jobs at several firms in the city and valley. Some 500 firms have been surveyed in the city; many received business assistance or URA loans.

- City Pride Bakery: The SVA has taken a lead in organizing a new employee-owned bakery for the city to replace the jobs lost when Braun Bakery closed down. The City Pride Bakery, when financed, will result in 122 jobs, including many of the former Braun workers. Pittsburgh is the largest city in the country without a mainline bakery.

- Cytemp Plant Closure Prevention: As part of the Early Warning Network, the SVA conducted a pre-feasibility study for the local managers and workers at the Pittsburgh Cytemp plant. As a result of that study, investors have formed a new company, Pittsburgh Flatroll, which plans to retain the facility, invest in the company, and save 40 jobs.

- Employee Ownership: As the foremost public institution in the ESOP field in Western Pennsylvania, the SVA has also made considerable progress at the state level in creating support for workers to buy viable facilities. The SVA led

the fight to maintain the ESOP Fund at the state, and utilized this fund for two projects.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges through this acclamation its sincere appreciation and support of the efforts of the SVA.

Mr. Ferlo moved to adopt the resolution.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Milliones:

Would Mr. Hayllar from the City Finance Department come forward, please?

Mr. Milliones presents

No. 1890 WHEREAS, the Department of Finance is headed by the Director of Finance and the Deputy Director/Treasurer, who are appointed by the Mayor; and

WHEREAS, the Department of Finance, along with the Pittsburgh Community Reinvestment Group, helped form the Neighborhood Reinvestment Committee which co-developed the Bank Depository Rating System; and

WHEREAS, the Department of Finance's criteria for evaluating the performance of financial institutions in Pittsburgh by providing home mortgage, home improvement and commercial mortgage loans in low and moderate income neighborhoods; by providing marketing construction and permanent financing to non-profit developers of newly constructed or renovated residential or commercial properties; by participating with the City and its authorities to provide low cost credit to finance start-up and

expansion activities, particularly for minority and female owned businesses; and by participating and providing technical assistance and resources on an ongoing basis to community based organization; and

WHEREAS, the Department of Finance's Bank Depository Rating System allocated the City's banking business to banks who score highest in the City's Rating System for neighborhood reinvestment.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the Department of Finance and the Pittsburgh Community Reinvestment Group for their collective efforts, which led to the City of Pittsburgh receiving the National League of Cities' 1990 Technology Achievement Award in Finance for its Bank Rating Reinvestment Program.

Mr. Milliones moved to adopt the resolution.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Mr. Milliones:

We are very proud of having received this award from the National League of Cities and I'd like the Director of Finance, Mr. Ben Hayllar, to have a word to say along with one of his employees.

Mr. Hayllar:

Thank you. This is Judy Gula who is the head of your Cash Management Division in our department who oversees the administration of the bank rating system.

Stan Lowe would have been here but he's over at the Dollar Bank MAC Machine making

withdrawals and it obviously will be a few minutes before he gets here.

This rating system is really done in conjunction with a consortium of community groups who have been doing this on their own for some time. We are putting our money where their mouth is and I believe as we look at the national standards of what other cities are doing, this partnership is working very effectively. And we have seen from many of the banks a very profound response to put money in all neighborhoods of the City.

We are very grateful for Council's proclamation. It will be displayed in the Cash Management area. I kind of wish I got it before my budget hearing but I guess this indicates that hearing went alright. Thank you very much.

Mr. Regan:

I'd just like to say that Mr. Hayllar, Mr. President, that any time you get Dr. Milliones to honor you, you're something special.

The Chair:

Congratulations.

Mr. Darkins:

Mr. President, I'd like the members of the Guild and the people from The Harriet Tubman to come up.

Mr. President, the Mayor welcomed these people here today and I thought that was so kind and so wonderful. As you see, they're all women and the Mayor is a woman and this is their 75th Anniversary. The Mayor said she's right along there somewhere.

Mr. Darkins presents

No. 1891 WHEREAS, the Harriet Tubman Guild is celebrating its 75 years of service to the Greater Pittsburgh community and was founded by Mrs. Abraham Lincoln; and

WHEREAS, The Harriet Tubman Guild is a non-profit organization that seeks to meet the needs of the disadvantaged and underprivileged; and

WHEREAS, The Harriet Tubman Guild first established the Harriet Tubman House located at 7921 Frankstown Avenue and thereafter built the Harriet Tubman Terrace apartments located at 550 Negley Run Boulevard in 1969; and

WHEREAS, The Harriet Tubman Guild has operated these facilities with the mission of serving the elderly, handicapped, displaced and low-income people; and

WHEREAS, The Harriet Tubman Guild has established ten adult chapters and one youth chapter while continuing to serve the Pittsburgh community with dignity and pride; and

WHEREAS, The Harriet Tubman Guild is an organization most worthy of honor and recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim December 18, 1990 as Harriet Tubman Guild Day in the City of Pittsburgh.

Mr. Darkins moved to adopt the resolution.

Mr. Milliones seconded the motion.

Which motion prevailed.

Mr. Darkins:

We have the President here today.

President:

Thank you so very much and we are quite proud of our home because it does help people who are underprivileged. We have 56 units in the Harriet Tubman Terrace and we have some handicapped. It is the only building that has been built by Negroes. Of course, we have integrated also; we have White families there and we're very happy to have them all. And we're hoping that those of you at some time or another will come out and see the work that the women do and how they maintain the building at 550 Negley Run Boulevard.

Speaker:

To the City Councilmembers, I am happy to be here today and I deem it a great privilege and an honor for Bishop Councilman Darkins to invite us down here to give us this proclamation. We have worked hard and we are proud of our work. Thank you.

Speaker:

Good morning to City Council. We are happy to be present today. I serve as one of the Vice Past Presidents of the Harriet Tubman Guild and Chairperson of the Social Service Committee for the Harriet Tubman Guild.

We're delighted to be here today and so glad that you take time out of your busy schedule to look at us and see that we're at work for Kingdom Building.

We want to thank Dr. Darkins for inviting us and we cherish the 75 years that we have worked. Some of us weren't there in the beginning but we're here now and we really appreciate

you having this time to give us. Thank you so very much.

Speaker:

To Reverend Darkins, Members of City Council, it is indeed a pleasure to be here this morning and we appreciate your recognizing the work that the Harriet Tubman Guild, Inc. has done. We feel it has been a very important mission to provide housing for disadvantaged individuals. We hope to continue the work and we thank you again.

Mr. Cohen presented

No. 1873 Resolution providing for an Agreement or Agreements with the Friendship Development Associates, for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3 329.00, chargeable to and payable from the 1986 CDBG Program, "Unspecified Local Options".

---(SPONSORED BY MR. COHEN)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Darkins presented

No. 1874 Resolution providing for an Agreement or Agreements with the Greater Pittsburgh Commission on Women, for the benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1986 CDBG Program, "Unspecified Local Options".

---(SPONSORED BY MR. DARKINS)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Ferlo presented

No. 1875 Resolution Repealing

Resolution No. 987, approved December 4, 1987, entitled, "Resolution establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pools Programs."

---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Parks and Recreation.

Michelle Madoff presented

No. 1876 Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crime, for the benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1986 CDBG Program, "Unspecified Local Options".

---(SPONSORED BY MICHELLE MADOFF)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones presented

No. 1877 Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$2,890.00 in payment for professional services rendered to Councilman Jake Milliones, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council, As needed, Index Code 100123 (Council District #6).
---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Finance.

Also,

No. 1878 Resolution providing for an Agreement or Agreements with the Bidwell

Education, Music & Recreation Center, for the benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1981 CDBG Program, "Unspecified Local Options".

---(SPONSORED BY MR. MILLIONES)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Regan presented

No. 1879 Resolution providing for an Agreement or Agreements with the Salvation Army North Side Corps., for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1981 CDBG Program, "Unspecified Local Options".

---(SPONSORED BY MR. REGAN)

Which was read and referred to the Committee on Planning, Housing and Development.

The Chair presented

No. 1880 Resolution providing for an Agreement or Agreements with the Women's Center and Shelter for benefit of the women of Pittsburgh who are victims of domestic violence, at a cost not to exceed \$3,329.00, chargeable to and payable from the 1981 CDBG Program, "Unspecified Local Options".

---(SPONSORED BY MR. WAGNER)

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Milliones moved to suspend Rule 8 by providing for consideration of all the bills only until or after the 8th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Ferlo seconded the motion.

Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Milliones presented

Bill No. 1881

Reports of Committees on Finance for December 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1706

A Resolution entitled, "Resolution providing for the issuance of a warrant to Sharon L. Brentley and Mark A. Brentley, her husband, in the amount of \$15,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1755

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc. in the amount of \$13,942.89 for the final payment of an Emergency Contract to perform repairs on Clarence Street between Greenleaf Street and Well Street, in the 19th Ward of the City of Pittsburgh; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1756

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$8,142.15 in payment of railroad flagging expenses incurred during the Reconstruction of the Larimer Avenue Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1768

A Resolution entitled, "Resolution providing for the issuance of a warrant or warrants in the amount of Forty-Seven Thousand Nine Hundred Eighty-One and 58/100 (\$47,981.58) Dollars, for payment, without previous authority of law, to Mon Valley Petroleum, for payment in full in connection with the City's gascard program."

Which was read.

Mr. Ferlo:

Mr. Chairman, on Bill 1768, the infamous Mon Valley Petroleum gasoline credit card system that we implemented last year and a half, I realize this is a warrant in the amount of over \$47,000 and we have to pay it, but I would ask that this year, since the Administration is touting the line or being more fiscally responsible in terms of its expenditures, I would ask that they review the gasoline credit card system.

This is a program that was sold to Council originally with a dollar figure of \$300,000. This year alone, over \$600,000 was expended with dubious benefit. We know full well that there are gasoline pumps available at Public

Works locations throughout the City which could be utilized as far as supplying gasoline fuel for our vehicles be it emergency vehicles, Public Works, etc.

So, I would hope that in approving this today, we send a message to the Administration to once again review the expenditures.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 **NOES** none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1769

A Resolution entitled, "Resolution providing for the transfer of funds totalling Fifteen Thousand (\$15,000.00) Dollars from Code Account 1133, Index Code 113308, Bureau of Operating Maintenance and Repairs, Salary, Regular Employees, to Code Account 1140, Index Code 114009, Automotive Salary, Regular Employees, within

the Department of General Services, in order to meet the obligations of the payroll for the remainder of the year 1990."

Which was read.

Also,

Bill No. 1770

A Resolution entitled, "Resolution providing for the transfer of funds totalling Twenty Thousand (\$20,000.00) Dollars from Code Account 1927-9, Index Code 192799, Workers' Compensation, Department of Water, to Code Account 1132-9, Index Code 113290, Worker's Compensation, Department of General Services, in order to meet the obligations of the payroll for the remainder of the year 1990."

Which was read.

Also,

Bill No. 1793

A Resolution entitled, "Resolution providing for the transfer of funds totalling Thirty-Eight Thousand (\$38,000) Dollars from Code Account 1922, Index Code 192203, Miscellaneous Services, Department of Water, to Office Code Account 1043, Index Code 104307, Miscellaneous Services, City Information Systems."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1796

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur I. Young, 3134 Terrace Street, Pittsburgh, PA 15213, in the amount of \$2,000.00, in payment for professional consulting services rendered to Councilman Jake Milliones."
---(SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 1797

A Resolution entitled, "Resolution providing for the issuance of a warrant in the sum of \$7,350.00 to Samuel Rende, c/o Robert Paul Vincler, Esq., his attorney, Suite LL 140, Fort Pitt Commons Building, 445 Fort Pitt Boulevard, Pittsburgh, PA 15219 in full and final settlement of an alleged accident wherein Plaintiff's vehicle went into a hole on Tecumseh Street in the City of Pittsburgh on or about March 2, 1987."

Which was read.

Also,

Bill No. 1798

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$5,000.00 to Jessie Mott, a minor, by his parent and natural guardian, Carolyn Nelson, and Carolyn Nelson, in her own right c/o Patrick J. DeMay, Esq., their attorney, DeMay, DeMay & Donnelly, P.C., 4800 Library Road, Bethel Park, PA 15102, in full and final settlement of a leg amputation of minor plaintiff at the railroad yard adjacent to Manchester Park Playground in the City of Pittsburgh."

Which was read.

Also,

Bill No. 1799

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sedwick James of Pennsylvania Inc., in the amount not to exceed \$30,000.00 in payment for professional services rendered to the City during the transitions of Worker's Compensation Administrators, chargeable to and payable from Code Account 44 (004408) Worker's Compensation, Department of Finance."

Which was read.

Also,

Bill No. 1800

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sedgwick James of Pennsylvania, Inc. in an amount not to exceed \$20,000.00 (twenty thousand dollars) in payment for ancillary services in excess of contractual limits required in conjunction with the City of Pittsburgh's Worker's Compensation Program, chargeable to and payable from Code

Account 44 (004408) Worker's Compensation, Department of Finance."

Which was read.

Also,

Bill No. 1801

A Resolution entitled, "Resolution authorizing the issuance of warrants to various insurance companies in the aggregate amount not to exceed \$40,000.00 in payment for excess liability insurance and a self insurance surety bond for the Worker's Compensation Program chargeable to and payable from Code Account 44 (004408) Workers Compensation, Department of Finance."

Which was read.

Also,

Bill No. 1802

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Equibank in the amount not to exceed \$25,000.00 in payment for a one million dollar letter of credit as required by the Commonwealth of Pennsylvania, chargeable to and payable from Code Account 44 (004408) Worker's Compensation, Department of Finance."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1803

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Utica Mutual Insurance Company for a surety bond required by the Commonwealth of Pennsylvania for the City of Pittsburgh's Workers' Compensation Program."

Which was read.

Also,

Bill No. 1804

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Equibank for a one million dollar letter of credit for the City of Pittsburgh's Workers' Compensation Program."

Which was read.

Also,

Bill No. 1805

A Resolution entitled, "Resolution designating Banks and Lending Institutions to act as

Depositories for the year 1991 in accordance with the Pittsburgh Code, Title Two-Fiscal, Article III, Depositories."

Which was read.

Also,

Bill No. 1806

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the Pennsylvania Department of Labor and Industry in connection with the Job Training Partnership Act (JTPA) Program and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 1807

A Resolution entitled, "Resolution further amending Resolution No. 319, effective April 13, 1989, as amended by Resolution No. 1072, effective October 25, 1990, entitled 'Resolution providing for an Agreement or Agreements with a qualified Management Consulting Firm for professional services in the development of an indirect cost allocation plan for the City of Pittsburgh and providing for the payment of the cost thereof not to exceed thirty-five thousand dollars (\$35,000.00), chargeable to and payable from Code Account 1017, Miscellaneous Services, Index Code 101709, Mayor's Office,' by increasing the authorized amount from \$35,000.00 to \$36,633.34."

Which was read.

Also,

Bill No. 1808

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a consultant or consultants for consulting services to assist the City of Pittsburgh at an aggregate cost not to exceed thirty-thousand dollars (\$30,000.00) chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office."

Which was read.

Also,

Bill No. 1809

A Resolution entitled, "Resolution providing for the conveyance of certain property in the 5th Ward, City of Pittsburgh, designated as Block 10 F, Lot part 198, to Macedonia Baptist Church, for the sum of \$2,000.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne
Mr. Darkins
Mr. Ferlo
Michelle Madoff

Mr. Millions
Mr. Regan
Mr. Ricciardi
Mr. Wagner
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1815

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$1,010.64 in payment for utility costs for the Sheraden Senior Citizen Center furnished for the benefit of the City without prior authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1816

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Public Strategies, Inc., 1208 Palo Alto Street, Pittsburgh, PA 15212, in the amount of \$2,000.00, in payment for professional consulting services rendered to Councilman Eugene Ricciardi for the months of October and December, 1990." --- (SPONSORED BY MR. RICCIARDI)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1817

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 to Code Account 1851-1, (Index Code - 185116), Premium Pay, The Pittsburgh Zoo, from Code Account 1859, (Index Code - 185900), Equipment, The Pittsburgh Zoo, all within The Pittsburgh Zoo."

Which was read.

Also,

Bill No. 1818

A Resolution entitled, "Resolution transferring the amount of \$25,000.00 from Code Account 1801, (180109), Miscellaneous Services to Code Account 1829 (182907), Miscellaneous Services, Materials, Repairs and Equipment, Point State Park Division in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1819

A Resolution entitled, "Resolution transferring the amount of \$20,000.00 from Code Account 1812, (181206), Salaries and Wages, Regular and Temporary Employees, Phipps Conservatory to Code Account 1851 (185107), Wages, Regular and Temporary Employees, Pittsburgh Zoo in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1820

A Resolution entitled, "Resolution transferring the amount of 450,000.00 from Code Account 1173, (117304), Recycling Services in the Department of Environmental Services to Code Account 1853 (185306), Utilities, Pittsburgh Zoo in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1821

A Resolution entitled, "Resolution transferring the amount of \$50,000.00 from Code Account 1830, (183004), Salaries, Regular Employees to Code Account 1808-9 (180893), Workers Compensation in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1830

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A.G. Trimble Co., 600 Clark Building, Pittsburgh, PA 15222, in the amount of \$990.00, in payment for professional consulting services rendered to Councilman Jack Wagner." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi

Mr. Ferlo
Michelle Madoff

Mr. Wagner
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1831

A Resolution entitled, "Resolution transferring the amount of \$500.00 from Code Account 1001-1 (100115), Miscellaneous Services, City Council, to Code Account 1838 (183806), Miscellaneous Services, Department of Parks and Recreation." --- (SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Darkins presented

Bill No. 1882

Reports of Committees on Public Works for December 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1777

A Resolution entitled, "Resolution providing for an Agreement with the Borough of Greentree on the use of their type one landfill at the Parkway West Center Mall in lieu of an exchange of services for a 75' x 150' asphalt road."

Which was read.

Also,

Bill No. 1778

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a License Agreement with Presbyterian University Health System, Inc. for the occupation of the public right-of-way in DeSoto Street, Fourth Ward, Eighth Voting District, with electric lines."

Which was read.

Also,

Bill No. 1779

A Resolution entitled, "Resolution granting unto Presbyterian University Hospital, DeSoto and O'Hara Streets, their successors and assigns the privilege and license to construct, maintain and use at their own cost and expense, a

pedestrian tunnel and access doors under a portion of the right-of-way of DeSoto Street in the 4th Ward, 8th District of the City of Pittsburgh."

Which was read.

Mr. Cohen:

I'd like my remarks brought forward on Bills 1778 and 1779, please.

(REMARKS ON FOLLOWING PAGES)

(BEGINNING - MR. COHEN'S COMMENTS ON BILL NOS. 1778 AND 1779,
TUESDAY, DECEMBER 11, 1990)

Mr. Cohen:

Director, we had just approved a license for a bridge by Presbyterian Hospital over Darragh Street I believe it was. Is this related to that?

Dir. Gaetano:

Indirectly this ties a lot of their complex together, yes.

Mr. Cohen:

Could you explain what this is please?

Dir. Gaetano:

One's a tunnel and one is electric lines. We did have a resolution up here but the initial resolution that you did pass included telephone lines and telephone lines should not be included. There's a franchise agreement that they have to pay for that. There's already approval for that and they deal with Brother Richard and pay the City a fee on. Electric lines, other than the initial permit, this is underground conduit that connects a couple of your buildings; that's all that is. The tunnel is an actual pedestrian tunnel that goes from Presbyterian across DeSoto and to the other complex of buildings they have there.

Mr. Cohen:

If I recall, the bridge was over Darragh Street. Does our new fee arrangement apply to this?

Dir. Gaetano:

Absolutely.

Mr. Cohen:

So we're going to get more money for this than we would have a month ago.

Dir. Gaetano:

We will get a little bit more than double, yes.

Mr. Cohen:

Do you recall how much it is?

Dir. Gaetano:

It's \$1,000.00. It was \$500.00 before and with the other two things that are on there, it would be something like \$1400.00 compared to \$500.00 before.

Mr. Cohen:

Thank you, Director.

(END OF COMMENTS)

PREPARED BY: MARY ANNE HRUSKA
STENOTYPE REPORTER

Also,

Bill No. 1810

A Resolution entitled, "Resolution authorizing the Mayor and the Director of Environmental Services to accept the assignment of the agreement between the Pittsburgh Clean City Committee, Inc. and HDR Engineering, Inc. and to accept the return of remaining funds advanced by the City for the contract."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1883

Reports of Committees on Planning, Housing and Development for December 11, 1990 transmitting one ordinance and sundry

resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1696

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 549 - Residential Parking Permit Program, Section 549.13 - Parking Permit Fees and Exception, by providing for an increase in the cost of the permit from Ten Dollars (\$10.00) a year to Twenty Dollars (\$20.00) a year."

Which was read.

Mr. Ferlo:

On Bill 1696, Mr. Chairman, I'd like to make a motion to amend the Parking Permit Fees and Exception on making the Residential Sticker Parking Program \$15.00. There's an amendment on the table.

Mr. Cohen seconded the motion.

Mr. Ferlo:

Very briefly, Mr. Chairman, this is an increase doubling the amount from \$10 to \$20 for the Residential Sticker Parking Program. It's an effective program; however, I think it's important that all of our increases this year at least be realistic and fair and I don't think a doubling of that fee is fair.

Secondly, the major institutions have caused this problem in the first place, be it the University community or large institutions elsewhere, many of which are in my district. The neighborhoods need relief and that's why all of us are supportive of the Residential Sticker

Parking Program. But to raise the fees from \$10 to \$20, I think, is unfair. I think it should be a gradual increase and the amendment here is intended to make that a gradual increase, raising the fee from \$10 to \$15.

Mr. Milliones:

May I ask, Mr. Ferlo, what is the amount of revenue that would be lost as a result of it?

Mr. Ferlo:

If we go by the Administration's figures, it would be about \$30,000 to \$35,000. The Administration, on the \$20 figure, I believe indicated a sum of \$65,000 in the budget for revenues received as a result of raising it to \$20. So I would assume, then, if we're only raising it to \$15, that it would be a lost of \$30,00 to \$35,000.

Michelle Madoff:

My understanding, if memory serves me well, the purpose in doubling the fee was that you've got sticker parking but you don't have anywhere to park because nobody is doing the enforcement. So, you pay \$10 and you get virtually nothing. But if you pay \$20, they're going to spend the difference of the money making sure that you indeed have a parking space. And it would seem to me that it's \$20 for what period of time?

The Chair:

One year.

Michelle Madoff:

One year. And it would seem to me that if I could really park in front of my address, somewhere where I lived, and have the cars removed, it would be well worth the money be-

cause the \$10 is a throw away if you can't park. And the \$20 with surveillance and making sure you will have a place, to me seems to be a bargain.

Mr. Regan:

I have a lot of respect for our President Pro tem, Mr. Ferlo, but you're only talking about \$5. And if you can own a car, you sure could take care of \$5 over 365 days of the year.

Mr. Cohen:

Mr. President, I opposed the increase from \$10 to \$20 in a large part of my discussion last Wednesday with the Director of City Planning. I don't see any firm commitment on the part of the Administration to increase enforcement of Sticker Permit Parking.

And what's more, if you look at the map of the City and where the permit parking areas are, you'll see that they are close to large institutions like the universities and like the hospitals. And there hasn't been any attempt by the Administration to try to get those institutions to help pay for this increase in permit parking.

And for that reason, I don't think that this raise is an appropriate one until we see the Administration at least extend its hand to try to get the institutions to contribute to it and, more importantly, to commit to increasing enforcement. This increase in the fee without increasing enforcement doesn't make sense.

Mr. Ferlo:

In response to my colleague, Michelle, because I think she raised an excellent point, I think that if there were going to be increased enforcement I would not be offering this amendment and I would certainly vote for the \$20. I voted no on the increase to the \$20 and I'm ask-

ing for support today.

If the Administration were sincere in that statement, Michelle, the budget would be reflective in that commitment, and it's not reflective in the budget. The budget does not indicate an increase in the number of parking meter patrol officers. It's the same number budgeted as last year. If that sincerity were real, it would have manifested itself in the budget. That did not happen and this is basically just an attempt to raise revenue.

The Chair:

If I may add one point. The Administration has made a commitment towards increased enforcement and I would expect them to follow through with it.

Michelle Madoff:

On the same point, Mr. Chairman. I think that did come up at the table and the question was raised. I think some very valid questions are being raised here. I think Mr. Cohen is right; the institutions have an obligation to help the City with the enforcement and offset the cost. But my understanding when the question was asked at the table, that Jane Downing said, "It is in another code account that we have budgeted for additional inspection". Now, I think that we can always change our minds on Friday but I think we should let it ride the way it is because we have some other very serious issues to deal with and I don't think the \$5 is really going to make or break the City. But I think we need to get people -- If we're giving them sticker parking, then let's give it to them. Let's not kid them. And we do need the enforcement.

Mr. Regan:

We keep beating up on these institutions. Allegheny General Hospital on the North Side,

for example, employees 1100 people from the North Side. They arrange low interest loans for people to buy houses. They've worked arrangements to try to employ a lot of people. We just can't be beating up on institutions all the time. I think there are certain things that are fair and we should go after them, but there are other things that aren't fair. We're talking about \$5 here, a difference of \$5.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Darkins
Mr. Ferlo

AYES 4

NOES 5

VOTING NO:

Michelle Madoff
Mr. Milliones
Mr. Regan

Mr. Ricciardi
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

AYES 6 NOES 3

VOTING NO:

Mr. Cohen	Mr. Ferlo
Mr. Coyne	

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1782

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Paul J. and Richard F. Miller for the sale of Block 61H Lot 384 and Parts of Lots 385, 386, 388, 389, 391 and 392 in the Twenty-Ninth Ward of the City of Pittsburgh (COMMERCIAL)."

Which was read.

Also,

Bill No. 1783

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the Seventeenth Ward of the City of

Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 3K Lot 90, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1784

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Paul & Charlotte Bobak for the sale of Block 3K Lot 90 in the Seventeenth Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 1785

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the Nineteenth Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 35F Lot 69, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1786

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ronald A. & Cynthia H. Godek for the sale of Block 35F Lot 69 in the Nineteenth Ward of the City of

Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 1787

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the Fifteenth Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 29S Lots 102 & 104 under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 1788

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William Roy & Gloria Jean Crum for the sale of Block 29S Lots 102 & 104 in the Fifteenth Ward of the City of Pittsburgh (SIDEYARD)."

Which was read.

Also,

Bill No. 1789

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 1st Ward of the City of Pittsburgh designated as Block and Lot 2-M-211-C in the Deed Registry Office of

Allegheny County, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 1790

A Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Daniel J. Waldman and Morris A. Waldman for the sale of Block and Lot 2-M-211-C in the 1st Ward of the City of Pittsburgh (COURTYARD)."

Which was read.

Also,

Bill No. 1791

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to condemn and acquire various properties, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1792

A Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and various Redevelopers for the sale of properties in the City of Pittsburgh (SIDEYARD)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

Bill No. 1884

Reports of Committees on General Services for December 11, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1823

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of an 80' x 40' tent for use at the Pittsburgh Zoo at a cost not to exceed \$18,400 (Eighteen Thousand and Four

Hundred) Dollars, payable from the Pittsburgh Zoo Membership Trust Fund (PZMTF), Department of Parks and Recreation, The Pittsburgh Zoo and for payment thereof."

Which was read.

Also,

Bill No. 1825

A Resolution entitled, "Resolution providing for the letting of a Contract or Contracts, or the use of existing Contracts for the purchase of various landscaping equipment for the Department of Parks and Recreation at a cost not to exceed \$27,500.00 (Twenty Seven Thousand Five Hundred) Dollars, payable from Code Account 1808, Index Code 180802, Equipment, Department of Parks and Recreation and for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Michelle Madoff presented

Bill No. 1885

Reports of Committees on Water for December 11, 1990 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1794

A Resolution entitled, "Resolution authorizing the Mayor, the Director of the Department of General Services and the Director of the Department of Water to execute a deed of easement granting the Borough of Fox Chapel and the Fox Chapel Sanitary Authority the right to construct a sanitary sewer on land occupied by the City's Water Treatment Plant in exchange for the City's right to connect into the sewer sewage facilities serving the Water Treatment Plant."

Which was read.

Also,

Bill No. 1795

A Resolution entitled, "Resolution authorizing the Mayor, the Director of the Department of General Services and the Director of the Department of Water to enter into an Agreement or Agreements with the Pittsburgh Water and Sewer Authority, the Borough of Fox Chapel and the Fox Chapel Sanitary Authority providing for the construction of a sanitary sewer on land occupied by the City's Water Treatment Plant and the connection with that

sewer of sewage facilities serving the Water Treatment Plant."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 1886

Reports of Committees on Parks and Recreation for December 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation.

Bill No. 1717

A Resolution entitled, "Resolution authorizing

the Director of the Department of Parks and Recreation to increase certain admission fees and charges in connection with the Department of Parks and Recreation's Swimming Pool Program, effective January 1, 1991."

Which was read.

The Chair:

For clarity, if you are in favor, even though it has a negative recommendation, if you are in favor of the increase in the fees you will vote aye. If you are not in favor, you will vote no.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne

Mr. Millions

AYES 2

NOES 7

VOTING NO:

Mr. Cohen

Mr. Regan

Mr. Darkins

Mr. Ricciardi

Mr. Ferlo

Mr. Wagner

Michelle Madoff

(Pres't)

And a majority of the votes of Council being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 1718

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase fees and charges at the Schenley Park Golf Course, effective January 1, 1991." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Coyne:

Mr. President, on Bill 1718 regarding the Schenley Park Golf fees increases, I'd like to make two motions. The first one would be to amend the bill by reducing the proposed new adult seasonal fees from \$250 to \$175.

Mr. Ferlo seconded the motion.

Mr. Coyne:

I think it's a fair increase. It's going up from currently \$125 and I think it greatly affects the senior citizens who play golf up there. I think it's a fair increase and one that the City can live with.

The Chair:

Mr. Coyne, do you want to take them both together?

Mr. Coyne:

I would rather take them both apart if I could.

The Chair:

Okay.

Michelle Madoff:

Discussion. I was lobbied by the same people. They're old friends of mine from my former district, Squirrel Hill, for the most part.

And my sense was that they're not objecting to the \$250 fee. My sense was that they're objecting to the times that they're being curtailed from having to pay an extra fee if they want to play during the time we're looking for additional revenue.

I discussed it with Louise Brown and the response was that this is not an open and shut deal. They want to try it as recommended here and if it really is unfair, if we find out that, as the people lobbying us are saying, the senior citizens who play there, that no one is using the time that they're being charged extra for, that \$3 extra to play, then it will then be removed. The Administration is going to work very closely, Louise Brown particularly, with these people.

I know what this facility means to these people. I have voted with them concurrently in previous years and I think at this point they understand the problems of the City. This is a negotiated arrangement that was made between the City and the people who use this facility and I think we ought to leave it alone.

Mr. Ferlo:

I wasn't lobbied by anybody; I haven't talked to any golfers. But again, I think all of our fees across the board, including this, should be gradual increases, not drastic increases. I'm glad that the amendment is separate because I think the \$250 back to \$175 is fair. The occupation tax and the amusement tax were also suppose to be temporary.

Mr. Regan:

I just want to say that my colleague said about working closely with Louise Brown. Well, she's going to be the President of that great university so she's not even going to be here.

Michelle Madoff:

Well I believe that when a department head speaks, they must be speaking for the Administration. I don't think they have the authority to go ahead and do something without checking.

The Chair:

If I may just add a comment. These various changes in fees are not reflective of any changes in the budget. Every time we try to change something here, we must make further cuts in the budget. And it would have been better if we would have made these changes a week ago rather than today.

Mr. Milliones:

I have a problem supporting an amendment to decrease the fees for golfers. And I agree that every change that is made here has to be made up, balanced in the budget, and I don't see anyone adding anything but I hear everyone making amendments to withdraw revenue. And we need to deal with that. We have to have a balanced budget on Friday.

Mr. Coyne:

Mr. Chairman, I think the accurate way to state it is that it's not a decrease; it actually is an increase from \$125 to \$175. So, we are increasing the fees by \$50. The net loss will be \$6,000 and I think if you look at the total scheme of the City's budget, \$6,000 isn't going to make or break anybody.

Mr. Milliones:

But I find it hard to believe, Mr. Coyne, that golfers cannot afford the increase. As I understood it, they were more concerned about the restricted hours as opposed to the fee.

The Chair:

Procedurally, Mr. Coyne, you're wrong because there is an affirmative recommendation on a bill of which you want to amend it. So, consequently, that bill is being changed with anticipation of it being passed.

Mr. Coyne:

Of course, but from last year's seasonal fees of \$125. We're still talking of an increase to \$175. So, basically, 1990 and 1991 I'm not incorrect. I am correct that it is an increase in fees of \$50.

The Chair:

No, you're wrong because your amendment hasn't passed yet.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen
Mr. Coyne

Mr. Darkins
Mr. Ferlo

AYES 4

NOES 5

VOTING NO:

Michelle Madoff
Mr. Millions
Mr. Regan

Mr. Ricciardi
Mr. Wagner
(Pres't)

And a majority of the votes of Council

not being in the affirmative, the motion was defeated.

Mr. Coyne:

Mr. President, my second amendment would be to eliminate the \$3 surcharge for restricted play.

Mr. Ferlo:

I'll second that for the purpose of discussion.

Mr. Chairman, I'm opposed to this. One of the reasons why this is a good thing that the Administration has done, if I understand the golf course's operation, is that this would enable those individuals who want to pay on the weekends to play and others, older individuals, have been afforded the annual pass and they would be able to play throughout the week.

But the weekend is the time that we need to raise revenue from the course and we should vote against this amendment.

Michelle Madoff:

Mr. President and Members of Council, for those of you who either were here or were following the evolvement of this golf course situation - and we were all lobbied, you may say you talked to them but it's still lobbying - did indeed come before this Council for the public hearing and pleaded for us not to lease this golf course out to private entrepreneurs. And there was a strong movement in the Administration to save money, make it a better golf course and open it up to more people, and we didn't do that. We let them keep virtually their own private little club.

But now, with the problems the City is confronted with with revenue, they have to un-

derstand they can't have that luxury and I think it is ridiculous that we're really beating this to death. There's still the opportunity to remove that fee. If nobody is using it, they're going to be able to use it without a fee and I don't think we should be interfering at this late stage of the game.

The Chair:

I also want to add that Council was successful in getting the Administration to submit reductions in fees last week to the original bill plus make commitments on enhanced maintenance at the course.

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Darkins
Mr. Coyne	

AYES 3	NOES 6
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VOTING NO:

Mr. Ferlo	Mr. Regan
Michelle Madoff	Mr. Ricciardi
Mr. Milliones	Mr. Wagner
	(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Also,

Bill No. 1719

A Resolution entitled, "Resolution authorizing the Director of the Department of Parks and Recreation to increase certain admission fees at the Pittsburgh Zoo, effective January 1, 1991."

Which was read.

Also,

Bill No. 1822

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Morla Corporation for the license of copyright interests and the receipt of royalty fees therefor."

Which was read.

Also,

Bill No. 1824

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation, through the Directors of the Zoo, Aviary and Phipps Conservatory, to enter into an Agreement or Agreements to effectuate the purchase, sale, or loan of animals and plants."

Which was read.

Also,

Bill No. 1826

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Beechview Area Concerned Citizens, Inc., for the restoration and improvement of monuments located at Broadway Avenue and Shiras Street, also known as the Beechview Monument, and

providing for the payment of the cost thereof not to exceed Five Thousand (\$5,000.00) Dollars, chargeable to and payable from Code Account 1801, Index Code 180109, Miscellaneous Services, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1827

A Resolution entitled, "Resolution providing for an Agreement or Agreements and/or the letting of a Contract or Contracts, or the use of existing Contracts for the cleaning and restoration of various monuments for the Department of Parks and Recreation at a cost not to exceed Thirty One Thousand Eight Hundred Eighty (\$31,880.00) Dollars, payable from Code Account 1801, Index Code 180109, Miscellaneous Services, Department of Parks and Recreation and for payment thereof."

Which was read.

Also,

Bill No. 1828

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to enter into Agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with various performers, instructors, artists and other persons with specialized skills in connection with the Department's various recreational and instructional programs."

Which was read.

Also,

Bill No. 1829

A Resolution entitled, "Resolution providing for an Agreement or Agreements with John McGuire Associates for the purpose of providing professional services in connection with the design of new lighting for the Point State Park Fountain, in the Department of Parks and Recreation. The total cost shall not exceed \$25,000.00, and shall be chargeable to and payable from Code Account 1829 (182907) Miscellaneous Services, Materials, Repairs and Equipment, Point State Park Division in the Department of Parks and Recreation."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1832

A Resolution entitled, "Resolution providing for

an Agreement or Agreements with the Friends of The Green and Seldom Seen, for the benefit of the residents of Pittsburgh, at a cost not to exceed \$500.00, chargeable to and payable from Code Account 1838 (183806) Miscellaneous Services, Department of Parks and Recreation."
---(SPONSORED BY MR. WAGNER)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

(MR. COHEN AND MR. COYNE ABSTAIN-
ING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Regan presented

Bill No. 1887

Reports of Committees on Public Safety for December 11, 1990 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1716

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Seven - Business Licensing, Articles I, III, V, VII, IX, Chapter 701.16 Penalty, Chapter 713 Pawn Brokers, Chapter 715 Junk Dealers, Chapter 717 Antique or Second Hand Dealers, Chapter 719 Vendors and Peddlers, Chapter 721 Transient Merchants, Chapter 723 Trade Fairs, 745 Written Examinations, Chapter 763 Parking Lots, Chapter 765 Commercial Refuse, Chapter 771 Amusement Places and Producers, Chapter 773 Sunday Activities, Chapter 777 Mechanical Amusement Devices and Chapter 779 Public Dance Halls and Dances by increasing or decreasing certain fees."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Cohen presented

Bill No. 1888

Reports of Committees on Engineering and Construction for December 11, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1758

A Resolution entitled, "Resolution further amending Resolution No. 967, effective October 16, 1985, as amended by Resolution No. 241, effective April 2, 1986, as amended by Resolution No. 747, effective September 15, 1986, as amended by Resolution No. 257, effective March 21, 1990, entitled 'Providing for an Agreement or Agreements, or use of existing Agreements with a Consultant or Consultants for architectural, engineering, graphic design and construction management services in connection with the design of the implementation of the Zoo Master Plan; and providing for the payment of the cost thereof,' by decreasing the total project allocation by \$70,000.00 from \$895,000.00 to \$825,000.00."

Which was read.

Also,

Bill No. 1759

A Resolution entitled, "Resolution amending Resolution No. 341, effective April 21, 1989, entitled 'Providing for a Contract or Contracts, or use of existing Contracts, for the Implementation of the Zoo Master Plan, Phase 4.03; and providing for the payment of the cost thereof,' by increasing the total project allocation by \$1,050,000.00 from \$85,000.00 to

\$1,135,000.00."

Which was read.

Also,

Bill No. 1764

A Resolution entitled, "Resolution providing for the taking of property in the Twenty-Sixth Ward, City of Pittsburgh, owned by A.S.Y. Enterprises, Inc. a Pennsylvania Corporation for the relocation of street rights-of-way in connection with the reconstruction of Harpen Road and necessary slope easement and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 1765

A Resolution entitled, "Resolution providing for the taking of property in the Twenty-Sixth Ward, City of Pittsburgh owned by N. Enoch, an individual, for the relocation of street rights-of-way in connection with the reconstruction of Harpen Road and necessary slope easement and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably

to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen:

In accordance with Section 322 of the Home Rule Charter, I move that the effective date on Bill Nos. 1696, 1716, 1718 and 1719 be January 1, 1991. All other bills passed today shall be December 31, 1990.

Mr. Ferlo seconded the motion.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Coyne:

Mr. President, as the year draws to a close and the Governor moves to approve the Capital Budget of the Commonwealth, we're all aware, as is the Governor, of the major projects of interest that are occurring in the City of Pittsburgh. However, there are certain projects that are lesser known which are proposed in the State's Capital Budget and these are of significant importance to the City of Pittsburgh.

In the Capital Budget, an \$8.5 million line item exists for the future progress at the South Side electric furnaces, and another line

item for \$1.5 million has been proposed for improvements at the former Hays Ammunition Site. These two projects hold great significance to the future economic health of the City and I'd like to make a motion that a letter be sent to the Governor and to the Budget Secretary saying that City Council supports these two areas of endeavor in City and hopefully that we will see them come to fruition next year.

Mr. Regan seconded the motion.

Which motion prevailed.

Michelle Madoff:

On another matter, Mr. President and Members of Council. This morning all Members of Council received, and I just looked at it as I was coming into the meeting, the original copy of the agreement between the County and the City with reference to the Public Safety Building and the Jail.

On reviewing it and trying to get a little clarification, it appears that we're seeing a lot of saber rattling. And I would hope that the County Commissioners, instead of refusing to talk to the Administration, they have not returned a call since last Wednesday, would sit down at the bargaining table because I think if they do, the issue can be resolved.

It's an oversimplification but what has happened is that if the County, which has agreed to take over the lockup service when the facility is built, were to do it earlier, it would save the City approximately \$1 million.

We have, from my understanding of this agreement, taken on the largest portion, the millions of dollars, of preparing the land, buying the property, and we were originally going to build our own Public Safety Building on that facility along with the County Jail. The County came

back and said, "Oh, there's not enough room for you to build your own facility; therefore, would you go elsewhere?" And we said, the Administration said, "We'll look and see if we can build something nearby." And they did and they looked and they said on the parking lot we will build our facility at much greater and incurred cost to the City taxpayers, not to mention that the City taxpayers are also County taxpayers. And the soon this thing gets resolved, the less fees we're going to have to pay, fines and penalties as mandated by the Courts. And it seems that by taking over the lockover the savings to City and County taxpayers will be between \$300,000 and \$400,000.

I think that this is, they say saber rattling. Well, "If you don't let us do it, we're going to build a 30-story Public Safety Building" or "We're going to go to the suburbs." Well, let's look at those realistically. The impact of a 30-story jail would not be advantageous to the City. It would not be cost effective; it would be much more costly to operate. And let's talk about going to the suburbs, Mr. Commissioners. The cost of bringing your hardened criminals in here and the guards that you're going to need.

The Chair:

Councilwoman Madoff --

Michelle Madoff:

I'm almost through, please.

The Chair:

If I may interject. This issue will be on the table tomorrow.

Michelle Madoff:

Well, it's on the table today because all of us are being contacted and I think that we can't

wait until tomorrow.

The Chair:

Well, I think we can.

Michelle Madoff:

We disagree, respectfully.

Michelle Madoff:

May I finish?

The Chair:

I don't want to see us get into a debate on this issue when, in fact, we're voting on the bills possibly tomorrow. And I think we should debate it at that time. Therefore, there's not going to be anymore discussion on the issue.

Michelle Madoff:

I'm just making a statement urging the Commissioners to meet

Mr. Regan:

Can I respond?

The Chair:

Not in regard to that issue, Mr. Regan. That issue will get plenty of discussion tomorrow, I'm sure.

Mr. Cohen moved to approve the Minutes of Tuesday, December 4, 1990 and Tuesday, December 11, 1990.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Milliones moved to recess this meeting and meet again on Friday, December 21, 1990 immediately following the Standing Committees Meeting.

Michelle Madoff seconded the motion.

And on the motion of **Mr. Milliones**

Council recessed.

Pittsburgh, PA
Friday, December 21, 1990

And the time of recess having expired,
Council reconvened.

REPORTS OF COMMITTEES

The Chair presents

No. 1865 Resolution appointing M. Susan Ruffner, 651 Bigelow Street, Pittsburgh, Pennsylvania 15207, as a City Magistrate for a term effective immediately and to expire January of 1995.

Which was read.

Michelle Madoff:

It's an excellent appointment; let's vote for her.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Michelle Madoff
Mr. Coyne	Mr. Milliones
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Ms. Ruffner was approved.

Mr. Milliones presented

Bill No. 1891

Report of the Committee on Finance for December 21, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1742

A Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1991."

Which was read.

Mr. Milliones:

Mr. President, I have another amendment. We made a mistake in our calculations relative to the figure for Carnegie Library. It

should be \$45,253 rather than \$41,000.

Mr. Ferlo seconded the motion.

Which motion prevailed.

The Chair:

I would like to add that by adding that additional money and the Carnegie aggressively pursuing other funding sources, particularly State government which is one-half the funding source of the City of Pittsburgh or Allegheny County, and their fiscal year ending in June, that if they come up with a significant increase equal to what the City of Pittsburgh has come up with, approximately \$215,000, in my opinion, the Downtown Branch can remain open.

Also,

Bill No. 1743

A Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1991."

Which was read.

Mr. Ferlo:

Mr. Chairman, in relation to the second bill on the Operating Budget, I respectfully request that we amend the budget in the Controller's Office to add a Materials Inspector I at the pay rate of 16g12 \$19,560 and the budgeted addition being \$19,560. This is a person already on the payroll.

Mr. Coyne seconded the motion.

Mr. Coyne:

Mr. Chairman, I would just like to point out for my colleagues on Council that this is out of all the positions that were eliminated from Mr. Flaherty's office, this is the only one that is currently filled. The woman has just left another job to take this position and I think it's sort of unfair on Council's part to move to get rid of this position when she is in there and she left her former job. As far as I know she's a good woman, she's a hard worker in the community, and I just think that Council should keep the position.

Mr. Milliones:

Mr. President, I will remind Mr. Coyne that this position was filled after Council made the preliminary vote not to fill the position, to eliminate the position.

Mr. Coyne:

Mr. Chairman, the woman was hired in mid-November and because of the length of time it takes for the paperwork --

Mr. Milliones:

As I understand it, the hire was made after we had the preliminary vote to eliminate the position.

Mr. Coyne:

To correct Mr. Milliones, Mr. Chairman, the woman was hired prior to that. She didn't start work until after that because of the time period of City paperwork.

Mr. Ricciardi:

If I may, President Wagner, we all know the paperwork involved in both the private and public sector and after some conversation with

Personnel and Civil Service the paperwork with City government is approximately two to three weeks.

Also, I'd like to point out that this is a Civil Service job which means the person that did fill it on Monday is qualified for the position. I would hate to see a person who is qualified who went through two or three weeks of paperwork become involved in any type of pawn in a possible game of chess.

So, I will support this and respectfully ask my colleagues also to support this appointment.

Michelle Madoff:

I sound like a broken record but with a \$2.5 million budget in the Controller's Office and 95 jobs in tact, there's sufficient money in the Controller's Office to permit it, the placement of somebody in Materials Inspection long before the last minute appointment even though it went through November and it took some time for the paperwork, we were already approaching or into the budget procedure. If it took the Controller eight years to know that he needed to fill this job or to make provisal to make the monies available for the job, that is not the position that Council should be put in, to be scapegoats for any department. I urge my colleagues to vote no.

Mr. Milliones:

Roll call.

The Chair:

Is there any further discussion on the motion?

And on the question, "Shall the motion pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne
Mr. Ferlo

Mr. Regan
Mr. Ricciardi

AYES 4

NOES 5

VOTING NO:

Mr. Cohen
Mr. Darkins
Michelle Madoff

Mr. Milliones
Mr. Wagner
(Pres't)

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

Also,

Bill No. 1744

A Resolution entitled, "Resolution adopting and approving the 1991 Capital Budget and the 1991 Community Development Block Grant Program and approving the 1991 through 1996 Capital Improvement Program."

Which was read.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Millions presented

Bill No. 1892

Report of the Committee on Finance for December 19, 1990 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1629

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, 'Fiscal', Article IX, 'Property Taxes', Chapter 263, 'Real Property Tax', Section 263.01, 'Levy and Rate on Lands and Buildings', by levying the real property tax for 1991."

Which was read.

Also,

Bill No. 1757

A Resolution entitled, "Resolution providing for the transfer of \$350,000.00 to the 'Public Safety Complex Trust Fund', Index Code #280107, which represents the City's share of

preschematic design services of Phase I of the Public Safety Complex, which includes the Public Safety Building, a courts' facility and the initial stage of a Parking Authority garage."

Which was read.

Also,

Bill No. 1846

A Resolution entitled, "Resolution providing for the transfer of funds totalling Thirty Thousand (\$30,000) Dollars from Code Account 1926, Index Code 192609, Municipal Obligations for Non-City Water Agencies, Administration Division, Department of Water, to Code Account 1981, Index Code 198101, Premium Pay, Distribution Division, Department of Water."

Which was read.

Also,

Bill No. 1847

A Resolution entitled, "Resolution providing for an Agreement or Agreements with H. Yale Gutnick, 322 Boulevard of the Allies, Suite 700, Pittsburgh, PA 15222, in final payment for professional services rendered to Councilwoman Michelle Madoff in regards to the subpoena and deposition of the civil suit of the family of Ben Woods and the Post Gazette, at a total cost of \$507.70." --- (SPONSORED BY MICHELLE MADOFF)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass

finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1849

A Resolution entitled, "Resolution transferring the amount of \$5,000.00 from Code Account 1001-1, Miscellaneous Services, City Council, to Code Account 1103 (110304), Miscellaneous Services, Department of City Planning."
---(SPONSORED BY MR. REGAN)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi

Michelle Madoff	Mr. Wagner
Mr. Milliones	(Pres't)

AYES 7 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1853

A Resolution entitled, "Resolution authorizing and directing the Director of the Department of Finance to issue partial checks to supplement the pay of any City employee who is called to active military service (any Reserve, National Guard Component of the U.S. Armed Forces or Coast Guard) due to the Middle East Crisis/Operation Desert Shield, amounting to the difference between their military pay and City salary, and to maintain all health care benefits for said employees, their spouses and dependents during their term of absence in the Middle East."
---(SPONSORED BY MR. WAGNER & ALL MEMBERS OF COUNCIL)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
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Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council
being in the affirmative, the bill passed finally.

Also,

Bill No. 1854

A Resolution entitled, "Resolution authorizing
the Director of Finance to issue and the City
Controller to countersign a warrant in favor of
vested employees for the payment of unused
sick time." ---**(SPONSORED BY MR.
WAGNER)**

Which was read.

The Chair:

I'd like my remarks on Bill Nos. 1853
and 1854 brought forward please.

(REMARKS ON FOLLOWING PAGES)

(MR. WAGNER'S COMMENTS ON BILL NO. 1853-Wednesday, 12/19/90)

Mr. Wagner:

Discussion. Thank you, Mr. Chairman. Members of Council, all of you have graciously agreed to also co-sponsor this piece of legislation. I know I have spoken with each one about it. The legislation is straightforward, in that any city employee that is called to service, whether they be in the Reserve or National Guard or any component of the U.S. armed forces called to service in the immediate future to the Middle East crisis, their pay would be adjusted based on the difference between military pay and what they make here working for the City of Pittsburgh, and their benefits would continue. This piece of legislation I must state has nothing to do with the policy of this country or diplomatic decisions that have been made, it is a piece of legislation that supports employees and their family that are concerned about serving their country. And I think it is very important that this city do what Allegheny County recently did in terms of showing our support to people that serve their country and also work for the City of Pittsburgh. So I appreciate everyone's support on the resolution, and I think it is the right signal to send.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

(MR. WAGNER'S COMMENTS ON BILL NO. 1854-Wednesday, 12/19/90)

Mr. Wagner:

Thank you again, Mr. Chairman. This piece of legislation was actually requested by Council as a result of the layoffs which have occurred with the proposed 1991 budget of approximately 35 employees. Legislation was originally sent to the Law Department and was revised prior to submission of it. The legislation pertains to a sick time accumulation with those employees. Not all employees qualify, only a handful of them are affected by the legislation, and as I indicated, it pertains to the layoffs. The effective employees have an unused sick time that under present circumstances the employee cannot be paid for that, if this legislation is not passed. The employees who are vested in the pension plan will be paid for their sick time at the same percentage as their pension under this proposed piece of legislation. An example of that would be if they are eligible for 80 percent of their pension, they will be paid for 80 percent of their unused sick time as part of this layoff. In my opinion, the bill is very fair. It is a one time only initiation for these employees, and certainly these employees were not abusers of sick time or they would not have sick time accumulated; in other words, they have been quality employees for the City of Pittsburgh and they rightfully deserve a percent of that unused sick time.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Also,

Bill No. 1855

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Kahn & Associates, Inc., 650 Smithfield Street, Pittsburgh, PA 15222, in the amount of \$2,500.00 in payment for professional consulting services rendered to Jack Wagner."
---(SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1877

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pamela A. Smoot, 1838 Arcena Street, Pittsburgh, PA 15219, in the amount of \$2,890.00 in payment for professional services, rendered to Councilman Jake Millionnes."
---(SPONSORED BY MR. MILLIONES)

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millionnes
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ferlo presented

Bill No. 1893

Report of the Committee on Planning, Housing and Development for December 19, 1990 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1572

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: From 'M3' Light Industrial District to 'SP-3' Public Safety Complex - Specially Planned Unit District No. 3, all that certain property bounded by: SECOND AVENUE; the TENTH STREET BRIDGE; MONONGAHELA RIVER, the L.R.T. BRIDGE; GREENOUGH STREET and Lot No. 122, Block 2-P in the Allegheny County Block and Lot System, 1st Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1573

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Chapter 973 'SP' Specially Planned Districts', by creating a new district to be identified as 'SP-3' Public Safety Complex - Specially Planned District No. 3, including rules and regulations."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan

Mr. Darkins	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
	(Pres't)

AYES 8 NOES 1

(MR. FERLO VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1843

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greenfield Organizations to benefit the Senior Citizen's Food Distribution Program, at a cost not to exceed \$1,109.50, chargeable to and payable from the 1983 Community Development Block Grant Program." --- (SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 1844

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Spring Garden Neighborhood Council, for the benefit of St. Michaels Food Bank, at a cost not to exceed \$1,109.50, chargeable to and payable from the 1983 Community Development Block Grant Program." --- (SPONSORED BY MR. COYNE)

Which was read.

Also,

Bill No. 1845

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Women's Center and Shelter for benefit of the women of Pittsburgh who are victims of domestic violence, at a cost not to exceed \$1,109.50, chargeable to and payable from the 1983 Community Development Block Grant Program." ---(SPONSORED BY MR. COYNE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Millions
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1848

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various Community Organizations, for the benefit of the residents of Pittsburgh, at a total cost not to exceed \$5,000.00, chargeable to and payable from Code Account 1103 (110304)

Miscellaneous Services, Department of City Planning." --- (SPONSORED BY MR. REGAN)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Darkins	Mr. Regan
Mr. Ferlo	Mr. Ricciardi
Michelle Madoff	Mr. Wagner
Mr. Millions	(Pres't)

AYES 7 NOES none

(MR. COHEN AND MR. COYNE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1851

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team for job development, at a cost not to exceed \$1,000.00, chargeable to and payable from the 1983 Community Development Block Grant Program." --- (SPONSORED BY MR. RICCIARDI)

Which was read.

Also,

Bill No. 1852

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Pittsburgh Economic Revitalization Team for distribution to Neighborhood Block Watches in Councilmanic District 3, at a cost not to exceed \$2,320.00, chargeable to and payable from the 1983 Community Development Block Grant Program." --- (SPONSORED BY RICCIARDI)

Which was read.

Also,

Bill No. 1873

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Friendship Development Associates, for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from Various Prior Years Funding, Community Development Block Grant Program." --- (SPONSORED BY MR. COHEN)

Which was read.

Also,

Bill No. 1874

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Greater Pittsburgh Commission on Women, for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from Various Prior Years Funding, Community Development Block Grant Program." --- (SPONSORED BY MR. DARKINS)

Which was read.

Also,

Bill No. 1876

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Victims of Violent Crime, for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from Various Prior Years Funding, Community Development Block Grant Program." --- (SPONSORED BY MICHELLE MADOFF)

Which was read.

Also,

Bill No. 1878

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bidwell Education, Music & Recreation Center, for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from Various Prior Years Funding, Community Development Block Grant Program." --- (SPONSORED BY MR. MILLIONES)

Which was read.

Also,

Bill No. 1879

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army North Side Corps., for benefit of the citizens of Pittsburgh, at a cost not to exceed \$3,329.00, chargeable to and payable from Various Prior Years Funding, Community Development Block Grant Program." --- (SPONSORED BY MR. REGAN)

Which was read.

Also,

Bill No. 1880

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Women's Center and Shelter for benefit of the women of Pittsburgh who are victims of domestic violence, at a cost not to exceed \$3,329.00, chargeable to and payable from Various Prior Years Funding, Community Development Block Grant Program." --(SPONSORED BY MR. WAGNER)

Which was read.

Also,

Bill No. 1506

A Resolution entitled, "Resolution Repealing Resolution No. 732, effective September 3, 1988 entitled, 'Resolution providing for an Agreement or Agreements with a consultant or consultants to conduct a traffic study of the Calbride Triangle Area of the North Side, at a cost not to exceed \$4,200.00."

Which was read.

Also,

Bill No. 1507

A Resolution entitled, "Resolution Repealing Resolution No. 588 effective July 29, 1988 entitled, 'Providing for an Agreement or Agreements with the Polished Apple Enterprise, Inc., a non-profit corporation, to provide community social services including home chore services and a shopping-transportation escort service to the aged, handicapped, and

disabled."

Which was read.

Also,

Bill No. 1508

A Resolution entitled, "Resolution amending Resolution No. 215, effective March 6, 1987, entitled 'Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons, in an amount not to exceed \$240,000.00,' so as to reduce the amount encumbered from \$240,000.00 to \$229,925.00."

Which was read.

Also,

Bill No. 1509

A Resolution entitled, "Resolution amending Resolution No. 783, effective September 17, 1986, entitled 'Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons,' so as to reduce the amount encumbered from \$243,000.00 to \$236,282.00."

Which was read.

Also,

Bill No. 1510

A Resolution entitled, "Resolution amending

Resolution No. 800, effective August 19, 1985 entitled 'Resolution providing for an Agreement or Agreements with the Hill House Community Services, Inc., located at 1835 Centre Avenue, for the provision of administrative assistance in carrying out programs for public services to low and moderate income persons,' so as to reduce the encumbered amount from \$245,000.00 to \$238,668.36."

Which was read.

Also,

Bill No. 1511

A Resolution entitled, "Resolution amending Resolution No. 551, effective July 20, 1988, entitled 'Providing for an Agreement or Agreements with Bidwell Training Center for administrator/operating support, so as to reduce the amount encumbered from \$10,000.00 to \$9,991.00."

Which was read.

Also,

Bill No. 1512

A Resolution entitled, "Resolution amending Resolution No. 566, effective July 20, 1988, entitled 'Providing for an Agreement or Agreements with an agency or agencies to implement and coordinate the 'Pittsburgh Literacy Initiative' a pilot project aimed at promoting healthy parent/child relationships in low/moderate income families, so as to reduce the amount encumbered from \$33,922.00 to \$33,751.87."

Which was read.

Also,

Bill No. 1513

A Resolution entitled, "Resolution amending Resolution No. 154, effective March 12, 1984 entitled 'Providing for an Agreement or Agreements with the Lawrenceville Citizens Council, Inc., located on Thirty-Seventh Street in Lawrenceville to provide for general rehabilitation work on the old Saint Augustine's School Building which would be used for various community activities,' so as to reduce the encumbered amount from \$35,000.00 to \$18,692.10."

Which was read.

Also,

Bill No. 1515

A Resolution entitled, "Resolution amending Resolution No. 828 effective August 13, 1978 entitled 'so as to provide funds in the amount of \$159,282.63 to the Department of Public Works to allow said Department to enter into Contract or Contracts for the performance of tenant work required at the Phoenix-Hill Shopping Center for the relocation of the Carnegie Library, Wylie Avenue (Hill) Branch, to that facility and to provide additional funds to this project in an amount not to exceed \$16,000.00 from 1977 Community Development Block Grant Trust Funds, Unspecified Local Options' so as to reduce the encumbered amount from \$175,282.63 to \$172,457.00."

Which was read.

Also,

Bill No. 1516

A Resolution entitled, "Resolution amending Resolution No. 445, effective June 10, 1983 entitled 'Resolution providing for an Agreement

or Agreements with the Center for Independent Living, located at P.O. Box 11460, Guys Run Road, Pittsburgh, PA for the study of wheelchair accessibility in the Downtown, Oakland and residential areas at a cost not to exceed \$40,000.00,' so as to reduce the amount encumbered from \$40,000.00 to \$36,555.39."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Ricciardi presented

Bill No. 1894

Report of the Committee on Parks and Recreation for December 19, 1990 transmitting one resolution to Council.

Which was read, received and filed.

Also, with a **NEGATIVE** recommendation,

Bill No. 1875

A Resolution entitled, "Resolution Repealing Resolution No. 987, approved December 4, 1987, entitled, 'Resolution establishing a schedule of fees and charges in connection with the Department of Parks and Recreation's Swimming Pools Programs.'"

---(SPONSORED BY MR. FERLO)

Which was read.

Mr. Ferlo:

Mr. Chairman, I'd like my comments brought forward.

(REMARKS ON FOLLOWING PAGE)

(MR. FERLO'S COMMENTS ON BILL NO. 1875-Wednesday, 12/19/90)

Mr. Ferlo:

I will try to be very brief, since we have a discussion at length on the jail situation.

This bill was implementing and allowing the Director of Parks to implement a system of collecting fees for swimming pools. It was implemented several weeks ago; I strenuously objected to it then, I will continue to raise this issue as each new Council becomes seated. We did defeat the Administration's plan to double the fees. My basic opposition has to do with the merits of implementing these fees in the first place.

It is my contention that we have to spend close to \$50,000.00 in administrative overhead to raise \$125,000.00 for a net of \$75,000.00 per year, based on these fees. I had suggested at the time in opposing this several years ago, that what I would rather see the Administration help lead, and I would certainly be the first to support it, is an adopt a pool kind of program. For the 33 pools that we have and for the \$75,000.00 net profit that we actually net profit that we actually raise in revenue, we could adopt a pool and have community based organizations, others, raise roughly \$2,000.00 to \$3,000.00 per pool. I would make that pledge to raise that money for the four pools in my district, and I would hope that other Councilmembers would consider that.

Basically this gets down to the issue of whether or not we see the benefit accruing to the large number of young people throughout the city. This is money well spent. For the two and a half months the pools are open at best, oftentimes it is less because of weather conditions, I think we are being penny wise and pound foolish, that this is a program we have spent large sums of money for infrastructure, and I would like to afford the freedom of any and all individuals to utilize the swimming pools without the burden of coming down here with the pool passes, et cetera.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

Michelle Madoff:

Clarification on an aye vote.

The Chair:

If you vote aye on the bill, you will be repealing --

Michelle Madoff:

If you want to leave it the way it is, you vote no.

The Chair:

Correct.

Michelle Madoff:

Thank you.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Ferlo

Mr. Ricciardi

AYES 2

NOES 7

VOTING NO:

Mr. Cohen

Mr. Milliones

Mr. Coyne

Mr. Regan

Mr. Darkins

Mr. Wagner

Michelle Madoff

(Pres't)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Mr. Cohen presented

Bill No. 1895

Report of the Committee on Engineering and Construction for December 19, 1990 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1760

A Resolution entitled, "Resolution amending Resolution No. 665, effective July 11, 1990, entitled 'Providing for an Agreement or Agreements with a consultant or consultants for preschematic and site planning architectural services in connection with the new Public Safety Building and the possible site; and providing for the payment thereof,' by providing for a Supplemental Agreement or Agreements, and by increasing the total project allocation by \$570,000.00 from \$250,000.00 to \$820,000.00."

Which was read.

Also,

Bill No. 1761

A Resolution entitled, "Resolution providing for the creation of a special trust fund to be known as the 'Public Safety Complex Trust Fund' for the deposit of funds to be used for the design and construction of the new Public Safety Complex."

Which was read.

Also,

Bill No. 1762

A Resolution entitled, "Resolution further amending Resolution No. 1061, effective January 1, 1990, as amended, entitled 'Resolution adopting and approving the 1990 Capital Budget and the 1990 Community Development Block Grant Program; and approving the 1990 through 1995 Capital Improvement Program,' by increasing a line item (new Public Safety Building) by \$350,000.00 from \$250,000.00 to \$600,000.00."

Which was read.

Also,

Bill No. 1763

A Resolution entitled, "Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, the county of Allegheny and the Public Parking Authority of Pittsburgh for the development of the CSX Parcel in the 1st Ward of the City and providing for the payment of the cost thereof."

Which was read.

Mr. Cohen:

On Bill 1763, I'd like to make an amendment and I think it's on everybody's desk.

All of these bills deal with the Jail Agreement which includes, of course, the transfer of the North Side Lockup over to the old Public Safety Building. The amendment before you assures that there will be an amendment to the

lease at the old Public Safety Building, as Executive Secretary Joe Mistick explained last Wednesday, the relocation of the North Side Lockup to the old Public Safety Building and that renovations be done there. This is supported by the Administration and is part of the deal with the County.

Mr. Ferlo seconded the motion.

Which motion prevailed.

Michelle Madoff:

On the bill as amended, I think that this is a good example of what has happened in the Year of Our Lord, 1990, where this Council has worked cooperatively whenever possible with the Administration. And here our Mayor has worked cooperatively with the Commissioners and the Commissioners with the Mayor on a very important issue.

The City and the County cannot operate as separate entities. We need each other and I believe that the problems confronting the country, the economic possibilities that could be negative. They're all to be commended and I'm delighted that it ended the way it did and I just want to thank the Administration, the Mayor and the Commissioners for listening to this Council and being responsive.

Mr. Ferlo:

On the same issue, I would respectfully request that the Administration listen to Council a lot earlier in the game and not the last minute, 11th hour theatrics that they played this year.

The issue of the lockup was raised over a year and a half ago in a post agenda that I sponsored with neighborhood groups from the North Side. At that time, Mr. DiNardo representing the Administration and General Services, made

commitments to this Council over a year and a half ago. Those commitments were never filled. Some time later I objected to the fact that we provided space for the County Jail facilities because of the Cohill situation and that went on deaf ears by the Administration.

So, in the future when there are complicated arrangements and memorandums of understanding to be worked out with the Administration and County government or anybody else, I wish that those would be conveyed to this Legislative Branch of government who ultimately must decide the merit and the wisdom of the legislation.

Mr. Cohen:

I'd like my comments brought forward on this, please.

(REMARKS ON FOLLOWING PAGE)

(MR. COHEN'S COMMENTS ON BILL NO 1763-Wednesday, 12/19/90)

Mr. Cohen:

After discussing this deal with you, Mr. Mistick, and with county officials yesterday as well, I want to congratulate you, I really do. I think this is a much fairer deal for city taxpayers, frankly, and that is an important point here. But an equally if not more important point is we have an agreement that as early as yesterday it looked like we are on a collision course, today we have an agreement, an agreement which is essential to building a new jail and essential for law enforcement. I want to congratulate you.

(END OF REMARKS)

(Transcribed by Helen L. Kriebel)

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Milliones
Mr. Coyne	Mr. Regan
Mr. Darkins	Mr. Ricciardi
Mr. Ferlo	Mr. Wagner
Michelle Madoff	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Cohen:

In accordance with Section 322 of the Home Rule Charter, Publication Effective Date of Legislation, I move that the Effective Date on Bills 1572, 1573, 1757, 1760, 1761, 1762 and 1763 shall be the date on which they are signed by the Mayor, and Bills 1629, 1742, 1743 and 1744 shall be January 1, 1991, and all others on December 31, 1990.

And I wish everybody a happy holiday and a happy New Year.

Mr. Ferlo seconded the motion.

The Chair:

Mr. Perry, does that include the soon to be introduced bill by Mr. Milliones?

Mr. Perry:

We have to make a special motion on that.

WHICH MOTION PREVAILED.

The Chair:

We have one final piece of legislation, an emergency piece of legislation. Mr. Milliones.

Mr. Milliones presents

No. 1896 Resolution authorizing an amendment to the Lease Agreement for 100 Grant Street between the City of Pittsburgh, Landlord, and the County of Allegheny, Tenant.

Which was read.

The Chair:

Mr. Perry, does that need any kind of special motion?

Mr. Perry:

Just a motion to approve.

Mr. Milliones moved to approve the bill.

Michelle Madoff seconded the motion.

The Chair:

It's simply the agreement that was ironed out in the final moments between the City and the County, and our Solicitor is here if anyone wants to ask any questions.

Mr. Ferlo:

Just to clarify procedurally. This would be the equivalent of an Executive Action by Council and we can forego the public notification process?

The Chair:

Yes.

Mr. Ferlo:

Thank you.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Mr. Coyne

Mr. Darkins

Mr. Ferlo

Michelle Madoff

Mr. Milliones

Mr. Regan

Mr. Ricciardi

Mr. Wagner

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

The Chair:

I would like to ask our Finance Chair-

man who has done an excellent job to please come forward and say a few words in regards to the 1991 Budget.

Mr. Milliones:

Thank you very much, Mr. President. I would like to say that the Mayor sent over a budget of \$334,774,766.00 and we just passed the budget in the same amount. I want to say that that was revenue neutral in that we did not increase our estimated appropriations to balance the budget.

I think that is fiscally responsible and I would like to thank all of my colleagues for co-operating to pass this difficult budget in the spirit of cooperation. I think it was a difficult budget because any time we have to lay people off, that is difficult for all of us. However, we must remain fiscally responsible while providing at the same time the best quality of life for all of our citizens.

Happy holidays.

The Chair:

Thank you, Councilman Milliones.

We need one final motion on the effective date of the final piece of legislation being when it is signed by the Mayor.

Mr. Ferlo:

So moved.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Ferlo:

I just want to thank my colleague, Dr.

Milliones in his role as Finance Chairman this year. I think he did a heck of a job.

I would only ask that the budget cover be corrected. I'm Chairman of Planning, Housing and Community Development, unless Mr. President has changed my Committee.

Mr. Milliones:

It will absolutely be changed, Mr. Ferlo.

Michelle Madoff:

Mr. President, Finance Chairman, male members of this esteemed body, I would like to personally thank you for treating me with respect. This is the first Council that really has treated me as a colleague continually. It is a welcome, refreshing change, and the little token gift I have given you to relieve your tensions is just to thank you, for while we may have disagreed, we have not been disagreeable. Thank you.

Mr. Cohen:

I want to thank Councilwoman Madoff for this gift. So long as it is a non-pecuniary gift of nominal value, I will accept it enthusiastically.

Michelle Madoff:

It's under \$50.

The Chair:

I would just like to add that I also compliment Mr. Milliones for doing an excellent job and each one of you for adding in a very positive sense to the budget. Certainly our budget staff did a great job, the City Clerk's office, and everyone involved. But even more so than that, the entire year on Council to me in my seven years on Council has been the most productive year of

any Council in my opinion in terms of professionalism. We have dealt with a multitude of difficult issues, the gay rights issue, the jail issue, ethics legislation, and this Council has been very respectful to each other, even when we had major disagreements. I think it's a tremendous improvement over previous Councils.

Happy holidays.

Mr. Milliones:

Mr. President, we appreciate your even-handed leadership as well.

Mr. Cohen:

Second.

The Chair:

Thank you.

Mr. Regan:

Mr. President, I would like to extend a Merry Christmas and Happy New Year to you and all of my colleagues on Council. I would also like to extend that to the Mayor's Office because they have to run a tough ship. It's easy throwing something at the other guy.

And I'd like to congratulate you, Mr. Wagner. You're a very even-tempered guy which I think helped the rest of us.

I'd like to thank Jake Milliones as the Finance Chairman. I think he did a tremendous job. I guarantee you, I'm not afraid of anybody but I'm afraid of Jake.

And I'd like to thank the Little Flower, the President Pro Tem, when he had to fill in. It's a shame that we weren't prepared when he filled

in, brother; we would have ripped him up.

And I'd like to thank the TV crew who I think did a tremendous job. It's not easy focusing some of us in.

I'd like to thank the Pittsburgh media. I honestly think they're the finest media in the United States. They write what they think is right. I don't think they take any cheap shots.

I'd like to thank Mr. Perry and his staff. Without you people we couldn't have done it.

And I'd like to personally extend all the holidays good wishes to you. Thank you.

Mr. Ferlo:

Since we're thanking everybody, I'll thank the taxpayers for giving us the revenue to spend and argue about for the last six weeks.

And I know the Mayor is going to kill me for saying this, but I want to wish the Mayor a happy birthday in a couple of days.

Mr. Darkins:

I would just like to say ditto to everything that has been said.

And on the motion of Mr. Milllones

Council adjourned.